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THE
S T A T U T E S
OF
THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND,
7 & 8 GEORGE IV. 1827.

LONDON:

**Printed by His Majesty's Statute and Law Printers ;
And sold by J. BUTTERWORTH and SON, Law Booksellers,
in Fleet-Street.**

1827.

(Price 20s. in Boards.)

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T A B L E
Containing the TITLES of all
THE STATUTES,

Passed in the FIRST Session of the EIGHTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

7° & 8° GEORGII IV.

PUBLICK GENERAL ACTS.

1. **A**N Act for applying a Sum of Money for the Service of the Year One thousand eight hundred and twenty seven.

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2. An Act for raising the Sum of Ten Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty seven.

Ibid.

3. An Act to confirm an Order in Council for allowing the Importation of Foreign Oats, Oatmeal, Rye, Pease, and Beans; to indemnify all Persons who have advised or acted in execution of the same; and to permit the Importation of such Articles until the Fifteenth Day of *February* One thousand eight hundred and twenty seven.

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Ibid.
12. An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in *Ireland*.
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- ii. An Act to enable the Company of Proprietors of the *Birmingham* and *Liverpool* Junction Canal Navigation to alter the Line of the said Navigation, and to make certain Branches therefrom, in the Counties of *Stafford* and *Salop*. Page 527
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- vii. An Act for more effectually repairing and improving the Roads from the North-west Parts of the County of *Lincoln*, through *Nettleham Fields*, *Wragby Lane*, and *Baumber Fields*, to the North-east Part of the said County, and other Roads therein described, in the said County and in the City of *Lincoln*. *Ibid.*
- viii. An Act for more effectually repairing, widening, and improving the Road from *Cosham* in the County of *Southampton* to the City of *Chichester*. *Ibid.*
- ix. An Act for more effectually repairing and maintaining the Road from *Hulme* across the River *Irwell*, through *Salford*, to *Eccles*, in the County Palatine of *Lancaster*, and a Branch of Road communicating therewith. *Ibid.*
- x. An Act for enabling the Justices of the Peace for the County of *Essex* to raise Money for defraying certain Expences incurred under an Act, passed in the First Year of the Reign of His present Majesty, intituled *An Act for building an additional Gaol for the County of Essex, and for enlarging, improving, and altering the existing Prisons for the same County*; and for amending the said Act, and for extending the Powers thereof, and for other Purposes relating thereto. *Ibid.*
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- xiii. An Act for more effectually repairing and maintaining the Road from *Foxley Hatch* in the Parish of *Croydon* into the Town of *Reigate* in the County of *Surrey*. *Ibid.*
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- xvi. An Act for more effectually repairing the Roads from the City of *Gloucester* to the Top of *Birdlip Hill*, and from the Foot of the said Hill to the Top of *Crickley Hill*, in the County of *Gloucester*. Ibid.
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- xix. An Act for more effectually repairing and improving the Road from *Shillingford* in the County of *Oxford*, through *Wallingford* and *Pangborne*, to *Reading* in the County of *Berks* ; and for repairing and maintaining a Bridge over the River *Thames* at or near *Shillingford Ferry*. Ibid.
- xx. An Act to amend and enlarge the Powers and Provisions of an Act relating to the *Heckbridge* and *Wentbridge* Railway. Ibid.
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- xxii. An Act to remove Doubts as to the Validity of Life Annuities granted or purchased by the *Sun Fire Office Company*. Ibid.
- xxiii. An Act for providing a further Maintenance for the Rector of the Parish of *Saint John Horslydown*, within the Town and Borough of *Southwark*, in the County of *Surrey*. Ibid.
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- xxvi. An Act for repairing the Roads from *Warwick* to *Paddle Brook* in the Parish of *Stretton-on-the-Fosse*, and from *Warwick* to *Stratford-upon-Avon*, in the Counties of *Warwick* and *Worcester*. Ibid.
- xxvii. An Act for more effectually repairing and otherwise improving the Road from the East End of *Chapel Bar* in *Nottingham* to the new China Works near *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, all in the Counties of *Nottingham* and *Derby*. Ibid.
- xxviii. An

xxviii. An Act for more effectually amending, widening, and maintaining the Roads from the Town of *Bury*, through *Haslingden*, to *Blackburn* and *Whalley*, and also from *Portfield* to *Padham*, and for making, repairing, and improving other Roads to communicate therewith, all in the County Palatine of *Lancaster*.

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xxix. An Act to alter and amend an Act of the Tenth Year of Queen *Anne*, intituled *An Act for erecting a Workhouse in the City and County of the City of Norwich, for the better Employment and maintaining of the Poor there.* *Ibid.*

xxx. An Act to amend and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His present Majesty, for the rebuilding of *London Bridge*, and for improving and making suitable Approaches thereto. 532

xxxi. An Act for erecting a Bridge over the River *Bure*, from *Runham* to *Great Yarmouth*, in the County of *Norfolk*. 542

xxxii. An Act for explaining and amending Three Acts for building a Bridge across the River *Clyde*, from the City of *Glasgow* to the Village of *Gorbals*; and for repairing, widening, and enlarging the Old Bridge across the said River, from the said City to the said Village; and for other Purposes therein mentioned. *Ibid.*

xxxiii. An Act to empower the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex* to purchase certain Premises situate at the Corner of *Sun Court* in *Curzon Street*, in the Parish of *Saint George Hanover Square*, in the said City and Liberty; and for other Purposes relating thereto. *Ibid.*

xxxiv. An Act for more effectually enlarging and improving the Harbours of *Peterhead* in the County of *Aberdeen*. *Ibid.*

xxxv. An Act to continue and amend Four Acts for the Improvement of the Port and Harbour of *Drogheda*, in the County of the Town of *Drogheda*, and the Counties of *Louth* and *Meath*. 543

xxxvi. An Act to extend the Powers of an Act of His present Majesty, for supplying the Town of *Liverpool*, in the County Palatine of *Lancaster*, with Water, to *Harrington* and *Toxteth Park* in the said County. *Ibid.*

xxxvii. An Act for better regulating the Supply of Water in the Town of *Leek* in the County of *Stafford*. *Ibid.*

xxxviii. An Act for enabling the Company of Proprietors of the *Portsea Island Waterworks* to raise a further Sum of Money; and for other Purposes relating to the said Undertaking. 544

xxxix. An Act to explain, amend, and enlarge the Powers and Provisions of an Act made in the last Session of Parliament, intituled *An Act for lighting, watching, cleansing, and otherwise improving the Camberwell New Road, the Lambeth Wyke Estate, and other Places in the Vicinity thereof, in the Parishes of Lambeth, Camberwell, and Newington, in the County of Surrey.* *Ibid.*

xl. An Act to amend an Act for enlarging the Powers of the Company of Merchants of the City of *Edinburgh*. *Ibid.*

xli. An Act for improving and supporting the Navigation of the River *Brue*, from the Mouth thereof, at its Junction with the River

River *Parrett*, to *Cripps's House*, and for making and constructing a Canal from thence to the Town of *Glastonbury* in the County of *Somerset*. Page 544, 545

- xl. An Act for making and maintaining a navigable Communication for Ships and other Vessels between the City of *Norwich* and the Sea, at or near *Lowestoft* in the County of *Suffolk*. 545
- xl. An Act for forming a Carriage Road or Drive round the Park or Public Green of *Glasgow*; and for the better Regulation of the Fireplaces and Chimnies of Steam Engines and other Works in the said City and Suburbs. *Ibid.*

- xliv. An Act for more effectually improving *Golden Square*, in the Parish of *Saint James's Westminster*, in the County of *Middlesex*. *Ibid.*

- xl. An Act for paving, gravelling, and otherwise improving certain Streets and Places on the East Side of *Kentish Town* in the Parish of *Saint Pancras* in the County of *Middlesex*. *Ibid.*

- xlvi. An Act for removing the Corn, Hay, and Cattle Markets of the Town of *Sheffield* in the West Riding of the County of *York*; for erecting a Corn Exchange and improving the Market Places and regulating the Fairs and Markets of the said Town, and erecting a Bridge there over the River *Dun*. *Ibid.*

- xlvi. An Act for improving the Drainage of Part of the South Level of the Fens within the Great Level commonly called *Bedford Level*, and the Navigation of the Rivers passing through the same, in the Counties of *Cambridge*, *Suffolk*, and *Norfolk*, and in the *Isle of Ely*. *Ibid.*

- xlvi. An Act for maintaining and repairing the Public Drains, Bridges, and Highways, on certain Extra-parochial Lands formerly called *Sinfin Moor*, in the County of *Derby*. 546

- xlix. An Act for dividing, inclosing, and exonerating from Tithes the Open and Common Fields, Meadows, Pastures, Fens, Ings, and Waste Lands in the Parish of *Washingborough* in the County of *Lincoln*, and Township of *Heighington* in the same Parish; and also for embanking, draining, and improving certain Lands within the same Parish and Township. *Ibid.*

- i. An Act for more effectually repairing and otherwise improving the Road from the North Side of *Cavendish Bridge* in the County of *Derby* to the Town of *Derby*, and from the said Town to the Guide Post on *Hulland Ward* in the same County. *Ibid.*

- li. An Act for amending, improving, and maintaining in repair the Road between the Point at which the great Roads from the City of *Carlisle* to the Cities of *Edinburgh* and *Glasgow* respectively separate, and *Westlinton Bridge* in the County of *Cumberland*. *Ibid.*

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- lii. An Act for more effectually repairing and maintaining the Road from *Whitby* to *Middleton* in the County of *York*. *Ibid.*

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- lv. An Act for making and maintaining a Road from *Hollinwood* to *Littleborough*, and other Roads communicating therewith, in the County of *Lancaster*. Page 547
- lvi. An Act for repairing the Road from the *High Bridge* in *Spalding* to *Tydd Goat* in the County of *Lincoln*, and other Roads in the same County. Ibid.
- lvii. An Act for more effectually amending and improving the Road from *Bawtry Bridge* in the County of *Nottingham* to *Hainton* in the County of *Lincoln*, and other Roads therein mentioned. Ibid.
- lviii. An Act for amending, repairing, and maintaining the Turnpike Road from *Rotherham* to *Swinton* in the West Riding of the County of *York*. Ibid.
- lix. An Act for repairing the Road from *Blackburn* in the County Palatine of *Lancaster* to *Addingham* and *Cocking End* in the West Riding of the County of *York*; and for making and maintaining a new Road from *Old Acrington* to the *Burnley*, and *Rochdale* Turnpike Road in *Habergham Eaves* in the said County of *Lancaster*, and a Branch therefrom. 548
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- lxi. An Act for more effectually repairing the Roads leading from *Romsey* to *Stockbridge* and *Wallop*, and other Roads therein mentioned, in the County of *Southampton*. Ibid.
- lxii. An Act for more effectually repairing and improving the Road from *Frodsham* to the South End of *Wilderspool Causeway*, within *Appleton*, in the County Palatine of *Chester*: and for making and maintaining a certain Extension or new Branch of Road to communicate therewith. Ibid.
- lxiii. An Act for more effectually repairing the Road from *Rochdale*, through *Bamford* and *Birtle* to *Bury*, and several other Roads therein mentioned, all in the County Palatine of *Lancaster*. Ibid.
- lxiv. An Act for more effectually repairing and improving the Road from *Standedge* in *Saddleworth* in the County of *York* to *Oldham* in the County of *Lancaster*, and other Roads in the said County of *York*, and for making and maintaining Two new Branches to communicate therewith. Ibid.
- lxv. An Act for more effectually repairing the Road leading from the Town of *Kilcullen* in the County of *Kildare* to the Town of *Carlow*. 549
- lxvi. An Act for repairing and improving the Road from *Dublin*, by *Ashbourne*, to *Slane* and *Drogheda*. Ibid.
- lxvii. An Act for repairing the Road from *Barton Waterside House* to *Riseham Hedge Corner*, and other Roads in the County of *Lincoln* connected therewith. Ibid.
- lxviii. An Act for more effectually repairing and otherwise improving the Road from the End of *Ardwick Green*, near *Manchester*, in the County Palatine of *Lancaster*, to *Hyde Lane Bridge* in the County Palatine of *Chester*. Ibid.
- lxix. An

- lxi. An Act for repairing the Road leading from *Ealand* to the Town of *Leeds* in the West Riding of the County of *York*.
Page 549
- lxx. An Act for more effectually making, amending, and improving the Road from *Buck Stones* to *Barkisland School*, at the Highway leading from *Ripponden* to *Stainland*; and for making and maintaining an Extension of the said Road to join the *Halifax* and *Huddersfield* Turnpike Road at the South End of *Elland Bridge*, and a Branch therefrom; all in the West Riding of the County of *York*.
Ibid.
- lxxi. An Act for making and maintaining a Road from the Town of *Northampton* in the County of *Northampton* to *Cold Brayfield* in the County of *Buckingham*.
550
- lxxii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from *Barnsdale* through *Pontefract* to *Thwaite Gate*, near *Leeds*, and also of an Act relating to the Road from *Leeds* to *Wakefield*, in the West Riding of the County of *York*.
Ibid.
- lxxiii. An Act for more effectually improving the Road from *Creed* to *Ruan Lanehorne*, and from *Dennis Water* to *Trethim Mill*, all in the County of *Cornwall*.
Ibid.
- lxxiv. An Act for more effectually repairing the Road from the South-east End of the Town of *Loughborough* in the County of *Leicester*, commencing at *South Field Lane*, to the South End of *Cavendish Bridge*, in the same County.
Ibid.
- lxxv. An Act for the better Regulation of the Watermen and Lightermen on the River *Thames*, between *Yantlet Creek* and *Windsor*.
Ibid.
- lxxvi. An Act for carrying into Effect certain Improvements within the City of *Edinburgh*, and adjacent to the same.
586
- lxxvii. An Act for lighting, cleansing, watching, and otherwise improving the Town of *Ashton-under-Lyne* in the County Palatine of *Lancaster*; and for regulating the Police thereof.
587
- lxxviii. An Act for the more effectual repairing, maintaining, and improving the Piers and Harbour of the Town and Port of *Whitby* in the County of *York*.
Ibid.
- lxxix. An Act to extend and enlarge the Powers of an Act passed in the Fifty second Year of His late Majesty, for improving the Port and Harbour of *Boston* in the County of *Lincoln*.
Ibid.
- lxxx. An Act for maintaining and improving the Harbour of *Ardglass* in the County of *Down*.
Ibid.
- lxxxi. An Act for enabling the Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to make Two Branches or Cuts from and out of the same Navigation, and for further amending the Acts of the said Company.
Ibid.
- lxxxii. An Act for more effectually supplying with Water the Inhabitants of the Town and County of the Town of *Nottingham*, and the Neighbourhood thereof.
Ibid.
- lxxxiii. An Act for supplying with Water the Town and Suburbs of *Shrewsbury* in the County of *Salop*.
Ibid.
- lxxxiv. An Act for supplying with Water the Town and Neighbourhood of *Huddersfield* in the West Riding of the County of *York*.
588
- lxxxv. An

- lxxxv. An Act for improving the Outfall of the River *Nene*, and the Drainage of the Lands discharging their Waters into the *Wisbech* River, and the Navigation of the said *Wisbech* River from the upper End of *Kinderley's Cut* to the Sea; and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea. *Page 588*
- lxxxvi. An Act for watching, regulating, and improving the City of *Carlisle*, and the Suburbs thereof. *Ibid.*
- lxxxvii. An Act to amend an Act of the Forty sixth Year of the Reign of His late Majesty, incorporating the *Glasgow, Paisley, and Ardrrossan* Canal Company; and to empower the said Company to form a Railway from *Johnstone* in the County of *Renfrew* to *Ardrrossan* in the County of *Ayr*, and certain Branch Railways communicating therewith. *Ibid.*
- lxxxviii. An Act for altering and amending the *Garnkirk and Glasgow* Railway Act. *Ibid.*
- lxxxix. An Act for removing Doubts as to the Legality of the Erection of the Portico of the Parish Church of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*; for declaring the whole of the Site of *Trinity* Church to be within the said Parish; and for altering the Boundary between the said Parish and the Parish of *Saint Pancras*. *Ibid.*
- xc. An Act for substituting a Building lately erected by *William Mitford* Esquire, deceased, as the future Church or Chapel of *Exbury* and *Lepe* in the County of *Southampton*, in lieu of the present Church or Chapel, and for other Purposes relating thereto. *590*
- xc. An Act for providing the Inhabitants of the Parish of *Saint John Hampstead*, in the County of *Middlesex*, with increased Accommodation for attending Divine Service. *Ibid.*
- xcii. An Act for erecting and endowing a Chapel of Ease in the Parish of *Wisbech Saint Peter's* in the *Isle of Ely*, in the County of *Cambridge*. *Ibid.*
- xciii. An Act for enlarging the Term and Powers granted by several Acts for levying a Duty of Two Pennies *Scots* upon every Pint of Ale and Beer brewed or vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, and for amending the said Acts. *591*
- xciv. An Act for draining, embanking, and protecting certain Low Lands lying on the North Side of the River *Dun* in the West Riding of the County of *York*. *Ibid.*
- xcv. An Act for more effectually repairing and otherwise improving the Road from *Crossford Bridge* in the County Palatine of *Lancaster*, to *Altrincham* in the County Palatine of *Chester*. *Ibid.*
- xcvi. An Act for altering and maintaining the Road from *Stirling* to *Drymen Bridge*, in the Counties of *Stirling* and *Perth*. *Ibid.*
- xcvii. An Act for amending an Act of the Fourth Year of the Reign of His present Majesty, for making and repairing certain Roads from *Redrow* to *Peathill* in the County of *Stirling*; and for making and maintaining certain new Roads connected therewith. *Ibid.*
- xcviii. An

xviii. An Act for the better and more effectually repairing and otherwise improving the Roads in the County of *Glamorgan*.

Page 591

xcix. An Act for repairing the Road from the City of *York* to *Kexby Bridge*, and from *Grimston* to the upper End of *Stone Dale*, in the County of *York*.

592

c. An Act for making and maintaining a Turnpike Road from *Wotton-under-Edge* through *Kingswood* to *Wickwar*, and Branch Roads therefrom, all in the Counties of *Gloucester* and *Wilts*.

Ibid.

ci. An Act for repairing and improving certain Roads leading to and from *Callington* in the County of *Cornwall*.

Ibid.

cii. An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *Ellesmere* and *Chester Canal* Navigation.

Ibid.

ciii. An Act for improving the Harbour of *Portrush* in the County of *Antrim*.

Ibid.

civ. An Act for the further Improvement and Maintenance of the Harbour of *Dunbar*, and other Public Works within the Burgh of *Dunbar*; and for the better supplying the said Burgh with Water.

Ibid.

cv. An Act for recovering, draining, and preserving certain Lands in the Parishes of *Kinross*, *Orwell*, and *Portmoak*, in the County of *Kinross*, and in the Parishes of *Ballingry*, *Auchterderran*, and *Kinglassie*, in the County of *Fife*; and for the better supplying with Water the Mills, Manufactories, Bleachfields, and other Works situated on or near the River of *Leven* in the said County of *Fife*.

Ibid.

cvi. An Act for separating the Town or Vill of *Ramsgate* in the County of *Kent* from the Parish of *Saint Laurence*, and making the same a distinct Parish; and for completing the new Church now building therein; and for other Purposes relating thereto; and for altering and amending an Act of His late Majesty for establishing a Chapel therein.

598

cvi. An Act for taking down and rebuilding the Parish Church of *Staines* in the County of *Middlesex*; for providing an additional Burial Ground; and for equalizing the Church Rates of the said Parish.

Ibid.

cvi. An Act to enable the Persons interested in the Lands and Hereditaments heretofore Parcel of the Possessions of the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, to raise Money for repairing and maintaining the Bridges and other Works liable to be repaired and maintained by such Persons.

Ibid.

cix. An Act for repairing and keeping in repair the Turnpike Roads in the County of *Ayr*; for making and maintaining certain new Roads; for rendering Turnpike certain Parish Roads; and for regulating the Statute Labour in the said County.

Ibid.

cx. An Act for erecting a Church in the Parish of *Doncaster* in the West Riding of the County of *York*.

Ibid.

cx. An Act for building a new Gaol for the Town of *Cambridge*, and for other Purposes connected therewith.

Ibid.

cxii. An

- cxii. An Act to provide for the Municipal Government of the Town and Suburbs of *Leith*; for the further Administration of Justice; and for the Regulation of the Police therein. Page 593

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

1. AN Act for inclosing Lands in the Township of *Hampton* in the Parish of *Malpas* in the County of *Chester*. Page 594
2. An Act for inclosing Lands in the Parish of *Ham* in the County of *Wilts*. *Ibid.*
3. An Act for dividing, allotting, and inclosing the several Commons and Waste Grounds, within the Manor of *Stainsby* and *Heath*, in the Parishes of *Ault Hucknall* and *Heath*, in the County of *Derby*. *Ibid.*
4. An Act to carry into Execution a Contract entered into between the Lord Bishop of *Bath* and *Wells*, and *Richard Beadon* Esquire for the Sale of the Manor of *Wiveliscombe* alias *Wilscombe* in the County of *Somerset*, unto the said *Richard Beadon*; and for applying the Money to arise from such Sale in the Purchase of other Estates, to be settled in lieu thereof. *Ibid.*
5. An Act to give Powers of Sale over Part of the Estates devised by the Will of *John Wright*, formerly of *Lombard Street* in the City of *London*, Banker, and afterwards of *Esher* in the County of *Surrey* Esquire, for the Purpose of obtaining a more connected and convenient Estate, to be settled to the existing Uses of his Will. 595
6. An Act for vesting in Fee Simple in Sir *George Stewart* of *Grandtully*, Baronet, or the Heir of Entail in Possession, certain Parts of the entailed Estate of *Grandtully* in the County of *Perth*, upon entailing certain other Lands in the said County, equivalent in Value thereto; and for feuing certain other Parts of the said entailed Estate. *Ibid.*
7. An Act for dividing, allotting, and inclosing Lands within the Parishes of *Thursford* and *Kettlestone* in the County of *Norfolk*. *Ibid.*
8. An Act for vesting an undivided Part belonging to *James Hedley*, an Infant, of Real Estates devised by *Mary Stocks* Spinster, in Trustees, to be sold; and for applying the Purchase Money thence arising for the Benefit of the Infant. *Ibid.*
9. An Act to enable the Trustees of the Estates devised by *William Hulme* Esquire to appropriate certain Parts of the accumulated Funds arising from the said Estates in the Purchase of Advowsons; and for other the Purposes therein mentioned. *Ibid.*
10. An Act for vesting in the Dean and Chapter of the Cathedral Church of *Saint Peter* in *Exeter*, certain Messuages and Lands

Lands situate within the Close of the said Cathedral Church, belonging to the Archdeacons of *Toines*, *Barnstaple*, and *Cornwall*, founded in the said Cathedral Church, in consideration of certain perpetual yearly Sums to be payable to the said several Archdeacons and their Successors; and for enabling the said Dean and Chapter to grant Leases of the same Premises.

Page 595

11. An Act to explain and modify the Trust Settlement of the late *Louis Cauwse*, for the Endowment and Maintenance of an Hospital for the Support and Education of Boys. 596
12. An Act for discharging Estates of Lord and Lady *Say* and *Sele*, and the Honourable *William Thomas Twistleton Fienes*, Sir *Culling Smith* Baronet, and *Culling Eardley Smith* Esquire, and the Honourable *Selena Childers*, and *John Walbanke Childers* Esquire, from a perpetual Rent of Two thousand Pounds, extending over such Estates, and charging a Part of each divided Estate with a Rent equal to its Portion of the said Rent of Two thousand Pounds. *Ibid.*
13. An Act for inclosing, dividing, and allotting Lands within the Township of *Westkirby* in the Parish of *Westkirby* in the County Palatine of *Chester*. *Ibid.*
14. An Act for inclosing Lands in the Township of *Shepley* in the Parish of *Kirkburton* in the West Riding of the County of *York*. *Ibid.*
15. An Act for inclosing Lands in the Parish of *Beckley* in the County of *Oxford*. *Ibid.*
16. An Act for dividing, allotting, and inclosing, and for exonerating from Tithes, Lands within the Townships of *Bentley* and *Arksey* in the Parish of *Arksey* in the West Riding of the County of *York*. 597
17. An Act for rendering more effectual Two several Acts of the Forty fifth and the Forty seventh Years of the Reign of His late Majesty King *George* the Third, intituled, respectively, *An Act for inclosing and draining certain Lands in the Parishes of Winterton, East Somerton, and West Somerton, in the County of Norfolk*; and *An Act for inclosing and draining certain Lands in the Parish of Martham in the County of Norfolk*; so far as regards the Estates of *John Barker Huntington* Esquire. *Ibid.*
18. An Act for dividing, inclosing, and exonerating from Tithes Lands in the Parish of *Great Grimsby* in the County of *Lincoln*. *Ibid.*
19. An Act for inclosing Lands in the Parish of *Ruscombe* in the County of *Berks*. *Ibid.*
20. An Act for inclosing, dividing, and allotting Lands in the Township of *Burwardesley* otherwise *Burwardsley* in the Parish of *Bunbury* in the County Palatine of *Chester*. *Ibid.*
21. An Act to commute for a Corn Rent the Tithes and Dues payable to the Rector of the Parish and Parish Church of *Grappenhall* in the County Palatine of *Chester*. 598
22. An Act to enable Trustees to grant Building Leases of Lands in the several Parishes of *Saint Leonard's Hollington*, *Saint Mary of the Castle of Hastings Maudlin*, *Saint Mary Magdalen*, *Saint Michael* near *Hastings*, and *Horsham*, in the County of *Sussex*, Part of the Estates devised by the Will of *Charles Eversfield*

Eversfield Esquire, and to sell the same Lands, and also Two detached Farms in the Parishes of *Hollington* and *Horsham* aforesaid, other Part of the same Estates; and for laying out the Money arising by such Sale in the Purchase of other Estates, to be settled to the same Uses. *Page 598*

23. An Act for enabling the Trustees of the undivided Moiety, late of *John Leech* deceased, in certain Land in the Town of *Manchester*, to concur with the Parties entitled to the other Moiety thereof in making Partition thereof; and to sell all or any Part of the said Land in the said Town of *Manchester*, in consideration of perpetual Chief Rents to be reserved issuing out of such Land. *Ibid.*
24. An Act to effect an Exchange of Estates in the County of *Oxford*, between *John Blackall* Esquire and the Trustees of *Cutler Boulter's* Charity, near the City of *Oxford*. *Ibid.*
25. An Act for vesting in Fee Simple in *John Crichton* Marquess of *Bute* and Earl of *Dumfries*, and his Heirs and Assigns, certain Parts of the entailed Estate of the late *William* Earl of *Dumfries* and *Stair*, situated in the County of *Wigton*, upon entailing certain other Lands belonging to him, situated in the County of *Ayr*, in lieu of the Lands so to be vested. *Ibid.*
26. An Act for vesting in Trustees the Lands of *Dunkirk* or *West Parks* of *Moncreiffe* in the County of *Perth*, contained in a Deed of Entail made by Sir *William Moncreiffe* of *Moncreiffe* Baronet, deceased, to sell the same, and apply the Price obtained therefor in Payment of the Debts that affect or may be made to affect the same. *Ibid.*
27. An Act for vesting certain Real Estates, late of the Most Noble *John Frederick* Duke of *Dorset*, deceased, situate in the Borough Town and Parish of *East Grinstead* in the County of *Sussex*, in Trustees, upon Trust to sell the same, and to lay out the Money thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates so sold. *599*
28. An Act for confirming a Partition made by *Mary Vessey* Spinster, and *Henry Machin* Esquire, with *Elizabeth Reynolds* Widow, of the Manor of *Howell*, and divers Messuages, Farms, Lands, Tenements, and Hereditaments, situate in *Howell* and *Asgarby*, or one of them, in the County of *Lincoln*. *Ibid.*
29. An Act for vesting Part of the Estates devised by the Will of *Gabriel Powell* Esquire, deceased, in Trustees, to be sold, and for investing the Money to arise from such Sale in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*
30. An Act to enable *Robert Oliver* Esquire, and *Sarah Shepley* his Wife, and the Survivor of them, and their Issue, to grant Building Leases of a Moiety of certain Lands and Premises in the County of *Middlesex*, devised by the Will of *Henry Barker* deceased. *Ibid.*
31. An Act for confirming certain Leases granted under an Act passed in the Forty third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enabling the Keepers and Governors of the Possessions, Revenues, and Goods of the Free Grammar School of John Lyon, within the Town of Harrow-on-the-Hill in the County of Middlesex, to grant Building Leases* of

- of certain of the Grounds and Estates of the said John Lyon; and for amending the same Act. Page 599
32. An Act for vesting an Estate in the Extra-parochial Place of *Teddesley*, otherwise *Teddesley Hay*, in the County of *Stafford*, in Trustees, to be sold, and for applying the Purchase Money in discharge of a Mortgage affecting such Estate. *Ibid.*
33. An Act for facilitating the Execution of certain Trusts for Charitable and Public Purposes, within the Town of *Sheffield* in the County of *York*. Ibid.
34. An Act for inclosing Lands in the several Parishes of *Little Houghton*, *Brafield-on-the-Green*, and *Cooknoe*, otherwise *Cogenhoe*, in the County of *Northampton*. 600
35. An Act for dividing, allotting, inclosing, and exonerating from Tithes Lands in the Hamlet of *Penge* in the Parish of *Battersea* in the County of *Surrey*. Ibid.
36. An Act for inclosing and exonerating from Tithes Lands in the Parish of *Langford* in the County of *Bedford*. Ibid.
37. An Act for inclosing Lands in the Parish of *Nouston* in the County of *Suffolk*. 601
38. An Act for extending and enlarging the Powers of an Act of the Forty ninth Year of His late Majesty, for inclosing Lands in the Manor and Parish of *Englefield* in the County of *Berks*. Ibid.
39. An Act for inclosing Lands in the Parish of *Tanglely* in the County of *Southampton*. Ibid.
40. An Act for abolishing the Great and Small Tithes belonging to the Rectory of the united Parishes of *Beaumont* and *Kirk-andrews-upon-Eden*, in the County of *Cumberland* and Diocese of *Carlisle*, and for making Compensation in lieu thereof. *Ibid.*
41. An Act to authorize a Sale to the respective Land Owners of all Tithes and Rectorial Dues belonging to the Rectory of *Stoke-upon-Trent* in the County of *Stafford*; for endowing Two new Churches; and for other Purposes. Ibid.
42. An Act for vesting certain Estates belonging to the See of *Durham* in Trustees for Sale, and for applying the Purchase Monies in the Purchase of Freehold and Copyhold Estates to be annexed to the said See, and for other Purposes. 602
43. An Act to authorize the Trustees of the Manors and Hereditaments devised and settled by the Will of *William Earle Bulwer* Esquire, to raise Money to discharge Incumbrances affecting the same. Ibid.
44. An Act to empower the Judges of the Court of Session in *Scotland* to sell such Part of the entailed Lands and Estate in the County of *Argyle*, now belonging to *Charles Campbell* Esquire, of *Combie*, as shall be sufficient for Payment of the Debts and Burdens affecting the same. Ibid.
45. An Act to confirm an Exchange made of certain Parts of the Lands belonging to the Vicar of *Saint Werburgh* in the County of *Derby*. Ibid.
46. An Act for settling and securing the Lands of *Letham* and *Cullelo*, in the County of *Fife*, to and in favour of *Francis Earl of Moray*, and the respective Series of Heirs under Two Deeds of Entail made by *Charles Earl of Moray* and *Francis Earl of Moray* respectively, and under the Conditions and Limitations

ations contained therein; and for vesting in lieu thereof the Lands of *Restalrig* in the County of *Mid-Lothian*, and the Mill Lands of *Aberdour* in the said County of *Fife*, in the said *Francis* Earl of *Moray*, and his Heirs and Assignees, in Fee Simple.

Page 602

47. An Act to authorize the leasing of Mines and Hereditaments in the Parish of *Llangonoyd* in the County of *Glamorgan*, devised and settled by the Will of *David Griffith*. 603

48. An Act for confirming a Lease granted by the Most Noble *Henry Charles* Duke of *Beaufort*, and the Right Honourable *Henry Somerset* commonly called Marquis of *Worcester*, of Lands and Hereditaments in the Parish of *Swansea* in the County of *Glamorgan*. *Ibid.*

49. An Act for carrying into Effect an Agreement for Sale of certain Messuages or Tenements and Parcels of Ground in the Parish of *Saint Andrew Holborn* in the County of *Middlesex*, Part of the Possessions of the See of *Bangor*, and for applying the Money arising therefrom in Manner therein mentioned. *Ibid.*

50. An Act to explain and amend certain Acts passed in the Forty seventh and Fifty first Years of the Reign of His late Majesty, and in the First and Fifth Years of the Reign of His present Majesty, for enabling the Archbishop of *Canterbury* to grant Building and Repairing Leases. *Ibid.*

51. An Act for vesting in Trustees, for Sale, the Estates devised by the Will of the late *Robert Nicholas* Esquire. *Ibid.*

52. An Act to authorize the granting of Building Leases of the Settled Estate of Dame *Jane St. John Mildmay*, in the Parish of *Saint Mary Islington* in the County of *Middlesex*, and for other Purposes. *Ibid.*

53. An Act for vesting certain Estates devised and settled by the Will of *George Taylor* deceased, in Trustees, to complete the Sale thereof to *Simon Taylor* Gentleman, and for laying out the Purchase Money in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*

54. An Act for enabling the Bishop of *London* and his Successors to grant Licences to demise the Copyholds within the Manor of *Fulham* in the County of *Middlesex*, for building upon and improving the same. *Ibid.*

55. An Act for confirming a Partition made by *Mary Bainbrigg* Spinster, with the Reverend *Richard Fawcett* Clerk and *Anna Maria* his Wife, and others, of an Estate situate in the Township of *Headingley-cum-Burley* in the Parish of *Leeds* in the County of *York*. *Ibid.*

56. An Act for vesting certain Estates in the Parishes of *Saint Mary Matfellow* otherwise *Whitechapel*, and *Saint Botolph Aldgate*, in the County of *Middlesex*, belonging to *John Craven* Esquire, a Lunatic, and *Frederick Bowman* Esquire, late Copartners in Trade, and also certain other Estates in the Parish of *Saint Mary Matfellow* otherwise *Whitechapel* aforesaid, belonging exclusively to the said *John Craven*, in Trustees, for the Purpose of effecting a Partition; and also for the Purpose of effecting Sales, granting Building Leases, and making Improvements. 604

57. An

57. An Act to enable the Lord Bishop of *Carlisle* to grant a Lease, with Powers of Renewal, of Hereditaments in the Parish of *Lambeth* in the County of *Surrey*, and to authorize the granting of Sub-leases for building thereon, and for other Purposes.

Page 604

58. An Act for enabling the Master and Brethren of the Hospital of *Saint Mary Magdalene*, within the Town and County of *Newcastle-upon-Tyne*, to erect a Chapel on Part of their Possessions in the said Town, and for regulating the Performance of Divine Service therein; and also for carrying into Effect an Exchange between the said Master and Brethren and *Ralph Naters* Esquire; and also for enabling the said Master and Brethren to grant Building, Repairing, and other Leases of their Estates.

Ibid.

59. An Act for confirming certain Articles of Agreement between *Samuel Pullin* Esquire and *James Rhodes* Esquire, and for authorizing the granting of Building Leases of Freehold and Copyhold Ground in the Parish of *Saint Mary Islington*, pursuant to the said Articles, and for other Purposes.

Ibid.

60. An Act to alter and amend an Act passed in the Fifth Year of His present Majesty, for dissolving a certain Partnership called "The *Kent* Life Assurance and Annuity Institution or Company," and for satisfying the Engagements entered into on behalf of the same Institution, and dividing the Surplus of the Capital belonging to the same Institution amongst the Holders of Shares of the same Capital.

Ibid.

61. An Act to amend and enlarge the Powers of an Act of the Fifty seventh Year of His late Majesty King *George* the Third, for enabling the Trustees of the Charity Estates of *William Hickey* deceased, situate at *Richmond* in the County of *Surrey*, to grant Building and Repairing Leases thereof.

Ibid.

PRIVATE ACTS,

NOT PRINTED.

62. AN Act to dissolve the Marriage of *Andrew Jameson* Esquire with *Catherine* his Wife, and to enable him to marry again; and for other Purposes therein mentioned.

63. An Act for inclosing Lands within the Manor and Parish of *Duften* in the County of *Westmorland*.

[*Allotment to the Rector in lieu of Agistment Tithe in the Lands to be enclosed, § 22. Act not to affect his Claim to other Tithes, § 23. Rector empowered to lease his Allotment, § 24. Rights of Lord of the Manor to Mines, &c. not to be prejudiced, § 46.*]

64. An Act for inclosing Lands in the Parish of *Exhall* in the County of the City of *Coventry*.

[*Vicar's Allotment to be fenced at the Expence of the other Proprietors, § 30. Vicar empowered to lease his Allotment, § 31.*]

65. An Act to dissolve the Marriage of *Barron Grahame* with *Caroline Keissling* his Wife, and to enable him to marry again; and for other Purposes therein mentioned.

66. An

66. An Act to declare void an alleged Marriage between *Ellen Turner*, an Infant, and *Edward Gibbon Wakefield*.
67. An Act for naturalizing *Morris Sigismund Meyer*.
68. An Act for naturalizing the Reverend *Joseph Wolff*.
69. An Act for naturalizing *George Muirson Woolsey*.
70. An Act for inclosing, allotting, dividing, and laying in severalty the Common Fields and Common Meadows of *Peckham* in the County of *Surrey*.

[*Act not to extend to Lands, &c. of the Grand Surrey Canal Company, § 39; or to Shoulder of Mutton Piece, § 19; Peckham Rye, Goose Green, or Nun Green, § 40; or to affect the Rights of the Commissioners of Sewers of Surrey and Kent, § 41.*]

71. An Act for naturalizing *Joseph Stansbury*.
72. An Act for naturalizing *Andrew Melly*.
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THE STATUTES AT LARGE.

Anno Regni GEORGII IV. Britanniarum Regis,
Septimo & Octavo.

AT the Parliament begun and holden at *Westminster*, the
Fourteenth Day of *November*, Anno Domini 1826, in the
Seventh Year of the Reign of our Sovereign Lord GEORGE
the Fourth, by the Grace of God, of the United Kingdom of *Great*
Britain and *Ireland*, King, Defender of the Faith ; being the First
Session of the Eighth Parliament of the United Kingdom of
Great Britain and *Ireland*.

C A P. I.

An Act for applying a Sum of Money for the Service of the
Year One thousand eight hundred and twenty seven.

[13th December 1826.]

WE, Your Majesty's most dutiful and loyal Subjects, the
Commons of the United Kingdom of *Great Britain* and
Ireland, in Parliament assembled, towards raising the necessary
Supplies which we have cheerfully granted to Your Majesty in
this Session of Parliament, have resolved to grant unto Your
Majesty the Sum hereinafter mentioned ; and do therefore most
humbly beseech Your Majesty that it may be enacted, &c.
“ 5,000,000*l.* arising from former Aids to be applied for 1827.

C A P. II.

An Act for raising the Sum of Ten Millions, by Exchequer
Bills, for the Service of the Year One thousand eight
hundred and twenty seven.

[13th December 1826.]

C A P. III.

An Act to confirm an Order in Council for allowing the
Importation of Foreign Oats, Oatmeal, Rye, Pease and
Beans ; to indemnify all Persons who have advised or acted
in execution of the same ; and to permit the Importation of
such Articles until the Fifteenth Day of *February* One thou-
sand eight hundred and twenty seven. [13th December 1826.]

WHEREAS on the First Day of *September* in this present
Year One thousand eight hundred and twenty six, His
Majesty, with the Advice of His Privy Council, was pleased to
7 & 8 Geo. IV. B make

Order in Coun-
cil of 1st Sept.
1826.

3 G. 4. c. 60. s. 3.

55 G. 3. c. 26.

‘ make a certain Order in Council, whereby, after reciting that,
 ‘ by the Laws now in force for regulating the Importation of
 ‘ Corn, Oats and Oatmeal might be imported into the United
 ‘ Kingdom, and into the *Isle of Man*, for Home Consumption,
 ‘ under and subject to the Regulations of the several Statutes in
 ‘ that Case made and provided, whenever the Average Price of
 ‘ Oats (to be ascertained in the Manner therein prescribed)
 ‘ should be at or above the Price of Twenty seven Shillings the
 ‘ Quarter; and Pease might in like Manner be imported when-
 ‘ ever the Price shall be at or above Fifty three Shillings the
 ‘ Quarter; and further reciting, that by a certain Act of Par-
 ‘ liament made and passed in the Third Year of His present
 ‘ Majesty’s Reign, intituled *An Act to amend the Laws relating to*
 ‘ *the Importation of Corn*, it is enacted, that whenever Foreign
 ‘ Corn, Meal or Flour, shall be admissible under the Provisions of
 ‘ an Act passed in the Fifty fifth Year of the Reign of His late
 ‘ Majesty King George the Third, intituled *An Act to amend the*
 ‘ *Law now in force for regulating the Importation of Corn*, or
 ‘ under the Provisions of the said Act passed in the Third Year
 ‘ of His present Majesty, there should be levied and paid certain
 ‘ Duties, therein specified, upon all such Foreign Corn, Meal, or
 ‘ Flour, when admitted for Home Consumption; and further re-
 ‘ citing, that by the Weekly Returns of Purchases and Sales of
 ‘ Corn made by the several Inspectors of Corn Returns in the
 ‘ Cities and Towns of *England and Wales*, to the Receiver of
 ‘ Corn Returns, it appeared that the Average Price of Oats, and
 ‘ also the Average Price of Pease, at the then present Time, ex-
 ‘ ceeded the before mentioned Prices of Twenty seven Shillings
 ‘ and Fifty three Shillings *per* Quarter; and further reciting, that
 ‘ from Information which had on that Day been laid before His
 ‘ Majesty, it appeared that the Price of Oats, as well as that
 ‘ of Pease, was still rising, and that the Crop of Oats, and also
 ‘ the Crops of Pease and Beans of the present Year, had failed to
 ‘ a considerable Extent, and that a Deficiency in the Crop of
 ‘ Potatoes was also apprehended in some Parts of the United
 ‘ Kingdom; and that if the Importation for Home Consumption
 ‘ of Oats and Oatmeal, and of Rye, Pease, and Beans, were not
 ‘ immediately permitted, there was great Cause to fear that much
 ‘ Distress might ensue to all Classes of His Majesty’s Subjects;
 ‘ and further reciting, that under the Acts aforesaid no Foreign
 ‘ Grain of the above Description, whatever might be the respective
 ‘ Average Prices of the same, could be admitted to Entry for
 ‘ Home Consumption till after the Fifteenth Day of *November* in
 ‘ the present Year, when the next Quarterly Average, by which
 ‘ the Admission of such Grain is regulated, would be made up,
 ‘ according to the Provisions of the said Acts; His Majesty, with
 ‘ the Advice of His Privy Council, did order, and it was thereby
 ‘ accordingly ordered, that Foreign Oats and Oatmeal, Rye, Pease,
 ‘ and Beans, whether warehoused or otherwise, should and might,
 ‘ from the Date of the said Order in Council, be permitted to be
 ‘ entered in the Ports of the United Kingdom and of the *Isle*
 ‘ *of Man* for Home Consumption, provided the Parties making
 ‘ Entry of any such Foreign Oats, Oatmeal, Rye, Pease, or Beans,
 ‘ should give Bond, with sufficient Sureties, to the Satisfaction of
 ‘ the

' the Commissioners of His Majesty's Customs, for the Payment
' of any Duties, not exceeding in Amount the Duties thereafter
' mentioned, in case Parliament should authorize the Levy and
' Receipt thereof; that is to say, Oats, *per* Quarter, Two Shil-
' lings; Oatmeal, *per* Boll, Two Shillings and Two Pence; Rye,
' Pease and Beans, *per* Quarter, Three Shillings and Six Pence;
' and His Majesty, by and with the Advice aforesaid, did thereby
' further order, and it was accordingly ordered, that such Per-
' mission to enter Oats and Oatmeal, Rye, Pease, and Beans, for
' Home Consumption, on the Conditions aforesaid, should con-
' tinue in force from the Date thereof until the Expiration of
' Forty Days, to be reckoned from the Day of the next Meeting
' of Parliament, unless the Parliament should previously to the
' Expiration of the said Forty Days make Provision to the con-
' trary: And whereas it is expedient that all Persons advising or
' issuing the said Order in Council, and all Persons who have
' acted under or in obedience to the same, should be indemnified;
Be it therefore enacted by the King's most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by
the Authority of the same, That the said Order in Council shall
be and be deemed valid and of due Force in Law; and that
all personal Actions and Suits, Indictments, Informations, and all
Prosecutions and Proceedings whatsoever, which have been or
shall be hereafter prosecuted or commenced against any Person
or Persons, for having advised or issued or carried into Execution
the said Order in Council, be, are and shall be discharged and
made void by virtue of this Act; and that if any Action or Suit
shall be prosecuted or commenced against any Person or Persons,
for or by reason of any Act, Matter, or Thing advised, com-
manded, appointed or done, or forborne to be done, under or in
relation to the said Order in Council, he, she or they may plead
the General Issue, and give this Act and the Special Matter in
Evidence; and if the Plaintiff or Plaintiffs in any Action or Suit
so to be prosecuted or commenced in *England* or *Ireland* shall
become nonsuit, or forbear further Prosecution, or suffer Discon-
tinuance, or if a Verdict shall pass against such Plaintiff or Plain-
tiffs, the Defendant or Defendants shall recover his, her, or their
Double Costs, for which he, she or they shall have the like
Remedy as in Cases where the Costs by Law are given to Defend-
ants; and if any such Action or Suit as aforesaid shall be com-
menced or prosecuted in that Part of *Great Britain* called
Scotland, the Court before which such Action or Suit shall be
commenced or prosecuted shall allow to the Defender the Benefit
of the Discharge and Indemnity hereby provided, and shall
further allow him his Double Costs of Suit in all such Cases as
aforesaid.

II. And be it also enacted, That if any Action or Suit hath
been already commenced against any Person or Persons, for any
such Act, Matter, or Thing so advised, commanded, appointed, or
done, or forborne to be done, it shall and may be lawful for the
Defendants or Defenders in such Actions or Suit respectively, in
whatever Court in the United Kingdom of *Great Britain* and
Ireland such Action or Suit shall have been commenced, to apply

Order in Coun-
cil valid.

All Actions
against Persons
advising, &c.
the same dis-
charged.

Persons prose-
cuted may plead
the General
Issue.

Double Costs.

Defendants
may apply to
the Court to
to stay Pro-
ceedings in
Actions.

to such Court or Courts respectively, to stay all Proceedings thereon respectively, by Motion in a summary Way, and such Court or Courts are hereby required to make Order for that Purpose accordingly; and the Court or Courts making such Order shall allow and award to the Defendants or Defendants respectively Double Costs of Suit, for which they shall respectively have the like Remedy as in Cases where the Costs are by Law given to Defendants or Defendants.

Duties to be paid at the Rates required by the Order in Council.

Bonds declared valid.

III. And be it further enacted, That the several Duties of Customs, for the Payment of which Bond hath been given under and in pursuance of the said Order in Council, shall be paid and payable to His Majesty at and after the Rates mentioned and required in and by the said Order in Council; and that all Bonds made and executed for securing the Payment of such Duties shall to all Intents and Purposes be as valid and effectual in the Law as if the same had been made and executed by and under the Authority of an Act of Parliament requiring the same.

Importation of Foreign Oats, &c. allowed until 15th Feb. 1827, on Payment of Duty.

IV. And Whereas it is expedient, pursuant to the Provisions of the said Order in Council, to permit the Importation of the several Articles aforesaid, until the Expiration of Forty Days, to be reckoned from the Day of the Commencement of the present Session of Parliament, and still further to permit such Importation for a limited Time; Be it therefore enacted, That it shall and may be lawful during the said Period of Forty Days, and from thenceforward until the Fifteenth Day of *February* One thousand eight hundred and twenty seven, to enter and import for Home Consumption, in any of the Ports of the United Kingdom and of the *Isle of Man*, Foreign Oats, Oatmeal, Rye, Pease, or Beans upon and subject to the Payment of the several Duties of Customs mentioned in and by the said Order in Council; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

C A P. IV.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

[21st March 1827.]

Number of Forces 87,859.

WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: And Whereas it is judged necessary by His Majesty and this present Parliament, that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of Eighty seven thousand three hundred and fifty nine Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And Whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this realm by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and

‘ and established Laws of this Realm ; yet nevertheless, it being
 ‘ requisite for the retaining all the before mentioned Forces in
 ‘ their Duty, that an exact Discipline be observed, and that
 ‘ Soldiers who shall mutiny or stir up Sedition, or shall desert His
 ‘ Majesty’s Service, be brought to a more exemplary and speedy
 ‘ Punishment than the usual Forms of the Law will allow ;’ Be it
 therefore enacted by the King’s most Excellent Majesty, by and
 with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, and
 by the Authority of the same, That if any Person who is or shall
 be commissioned or in Pay as an Officer, or who is or shall be
 listed or in Pay as a Noncommissioned Officer or Soldier, shall at
 any Time during the Continuance of this Act begin, excite, cause,
 or join in any Mutiny or Sedition in His Majesty’s Land or
 Marine Forces, or shall not use his utmost Endeavours to sup-
 press the same, or coming to the Knowledge of any Mutiny or
 intended Mutiny, shall not without Delay give Information thereof
 to his Commanding Officer ; or shall misbehave himself before
 the Enemy ; or shall shamefully abandon or deliver up any Gar-
 rison, Fortress, Post, or Guard committed to his Charge, or which
 he shall be commanded to defend ; or shall compel the Governor
 or Commanding Officer of any Garrison, Fortress, or Post to de-
 liver up to the Enemy, or to abandon the same ; or shall speak
 Words or use any other Means to induce such Governor or Com-
 manding Officer or others to misbehave before the Enemy, or
 shamefully to abandon or deliver up any Garrison, Fortress, Post,
 or Guard committed to their respective Charge, or which he or
 they shall be commanded to defend ; or shall leave his Post before
 relieved ; or shall be found sleeping on his Post ; or shall hold
 Correspondence with or give Advice or Intelligence to any Rebel
 or Enemy of His Majesty, either by Letters, Messages, Signs, or
 Tokens in any Manner or Way whatsoever ; or shall treat or enter
 into any Terms with such Rebel or Enemy, without His Majesty’s
 Licence, or Licence of the General or Chief Commander ; or shall
 strike or use any Violence against his superior Officer, being in
 the Execution of his Office ; or shall disobey any lawful Com-
 mand of his superior Officer ; or shall desert His Majesty’s Ser-
 vice ; all and every Person and Persons so offending in any of the
 Matters before mentioned, whether such Offence shall be com-
 mitted within this Realm, or in any other of His Majesty’s
 Dominions, or in Foreign Parts, upon Land or upon the Sea, shall
 suffer Death, or such other Punishment as by a Court-martial
 shall be awarded.

Every Officer or
 Private Man,
 during the Con-
 tinuance of this
 Act, who shall
 mutiny or de-
 sert, &c.

or shall be
 found sleeping
 upon or shall
 desert his Post,
 &c.

or shall strike
 or disobey his
 superior Officer,
 shall suffer
 Death, or such
 Punishment as
 a Court-martial
 may inflict.

II. Provided always, and it is hereby declared and enacted,
 That no Noncommissioned Officer or Soldier who shall desert His
 Majesty’s Service shall be exempt from the Pains and Penalties
 imposed by this Act for such Offence, by again enlisting into His
 Majesty’s Service ; but any such Soldier shall, notwithstanding
 such subsequent Enlistment, be deemed to have deserted His
 Majesty’s Service, and shall in like Manner suffer Death, or such
 other Punishment as by a Court-martial shall be awarded.

Soldiers en-
 listed in any
 other Regi-
 ment, &c. to be
 deemed De-
 serters.

‘ III. And Whereas Doubts have arisen, whether Soldiers who
 ‘ of Right belong to Corps from which they have deserted may
 ‘ be proceeded against and tried for deserting any other Corps in
 ‘ which

Deserters who shall enlist in another Regiment, &c. may be punished by a Court-martial in such Regiment, &c.

‘ which they may afterwards have enlisted, or from His Majesty’s Service, if they shall not, after such subsequent enlisting, have been placed in any Corps, or for any Crime committed by them whilst serving therein;’ Be it therefore enacted, That every such Soldier shall be liable to be tried by a Court-martial, and punished in like Manner as if he had originally enlisted in and of Right belonged to the Regiment, Corps, Troop, Company, Detachment, or Party in which he shall be at the Time of any subsequent Desertion or committing any Offence, notwithstanding it shall have been discovered or known that he had previously belonged to some other Regiment, Corps, Troop, or Company, Detachment or Party, and had not been discharged therefrom: Provided always, that if such Person shall be claimed by such other Regiment, Corps, Troop, or Company, Detachment or Party, and be proceeded against as a Deserter therefrom, his subsequent Desertion from any one or more Corps in which he may have unwarrantably enlisted may (unless he shall already have been tried for the same) be given in Evidence as an Aggravation of his Crime; previous Notice being always given to such Deserter of the Fact or Facts intended to be produced in Evidence upon his Trial.

Deserter may be transported;

and returning before Expiration of the Term limited, he shall suffer Death.

IV. And be it further enacted and declared, That in case of any Noncommissioned Officer or Soldier tried and convicted of Desertion, whensoever the Court-martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment, adjudge the Offender, according to the Nature of the Offence, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years: And if such Noncommissioned Officer or Soldier, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported) return into or be found at large, without Leave as aforesaid, or other lawful Cause, within any Part of the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty’s Possessions abroad, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, every such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

His Majesty, where Courts-martial award a Capital Punishment, may order Offenders to be transported.

V. Provided always, and be it enacted, That in all Cases where in a Capital Punishment shall have been awarded by a Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Felon for Life, or for a certain Term of Years, as to His Majesty shall seem meet; and if the Person so transported, in pursuance of such Order from His Majesty, shall afterwards, without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported, return into or be found at large, without Leave as aforesaid, or other lawful Cause, within any Part of *Great Britain* or *Ireland*, or in any of His Majesty’s Possessions abroad, other than the Place to which he shall have been transported, before the

the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death as a Felon without Benefit of Clergy.

VI. And be it further enacted, That it shall be lawful for any General or General Regimental Court-martial to sentence any Noncommissioned Officer or Soldier convicted of Desertion by such Court, to general Service as a Soldier, and that His Majesty may thereupon direct that such Service shall be in any Regiment or Regiments or Corps, and in any Country or Place or Places, abroad or otherwise, as He may think fit.

Deserter m
be sentenced to
serve as a Sol-
dier in any
Corps.

VII. Provided always, and be it further enacted, That if any Noncommissioned Officer or Soldier in any Regiment or Corps of His Majesty's Regular Forces, so convicted of Desertion, shall appear to have enlisted for a limited Term of Years, it shall be lawful for such Court to sentence any such Noncommissioned Officer or Soldier so enlisted in any Regiment or Corps of His Majesty's Regular Forces to serve for Life as a Soldier, or for any Number of Years beyond the Period for which such Noncommissioned Officer or Soldier shall have enlisted, in the Regiment in which he so enlisted, or generally in any Regiment or Corps which His Majesty shall please to direct; and any Noncommissioned Officer or Soldier may, in case of Desertion, be adjudged to forfeit all Benefit or Advantage as to Increase of Pay, or as to Pension or Discharge, which might otherwise have accrued to such Noncommissioned Officer or Soldier from the Length of his previous Service, and such Forfeiture may in such Cases of Desertion be adjudged in addition to any other Punishment, if the Court should think fit.

Deserter en-
listed for a
limited Term
may be sen-
tenced to serve
for Life, &c.
and be adjud-
ged to other
Forfeitures.

VIII. And be it further enacted, That it shall be lawful for any Court-martial, before which any Noncommissioned Officer or Soldier shall be tried and convicted of Desertion, to direct, if it shall so think fit, in addition to any other Punishment such Court may award for any such Desertion, that such Deserter be marked on the Left Side, Two Inches below the Armpit, with the Letter (D.), such Letter not to be less than Half an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

A Mark to be
affixed on the
Body of De-
serters.

IX. And be it further enacted, That whenever His Majesty shall intend any Sentence of a Court-martial of Transportation to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court-martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in writing by the Commander in Chief for the Time being of His Majesty's Forces in *Great Britain and Ireland*, or in the Absence of the Commander in Chief, then by the Adjutant General for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif in *England*, or to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer in *Ireland*; and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender, upon the Terms and for the Time which shall be specified in such Notification, and shall also

Sentence of
Transportation,
&c. shall be
notified by the
Commander in
Chief or the
Adjutant Gen-
eral to any
Justice of the
King's Bench,
&c. who shall
make an Order
for the Trans-
portation of
such Offenders.

make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by any Act or Acts in force at the Time of making any such Orders in relation to the Transportation of Offenders ; and such Order and Orders so to be made, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned ; and every Sheriff, Gaoler, Keeper, Governor, or Superintendant whom it may concern, and all Constables, and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience, or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act ; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Provision and Provisions made by Law, and now in force, concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation. [See post, Cap. 63.]

Such Notification, &c. shall be filed in the Office of the Clerk of the Crown ;

X. And be it further enacted, That the Justice or Baron who shall make any such Order as aforesaid, under any such Notification of His Majesty's Pleasure as aforesaid, shall direct the said Notification, and his own Order made thereupon, to be filed in the Office of the Clerk of the Crown of His Majesty's Court of King's Bench, and to be there kept of Record ; and the said Clerk of the Crown shall receive a Fee of Two Shillings and Sixpence, and no more, for filing the same.

who shall, on Application, deliver a Certificate of the Conviction of any such Offender, &c.

XI. And be it further enacted, That the said Clerk of the Crown of His Majesty's Court of King's Bench shall, upon the Application of any such Offender who shall be ordered by His Majesty to be transported as aforesaid, or of any other Person applying on his Behalf, or on the Application of any Person on Behalf of His Majesty, deliver a Certificate in Writing under his Hand (not taking for the same more than Two Shillings and Sixpence), containing an Account of the Christian Name and Surname of such Offender, of his Offence, of the Place where the Court was held before whom he was convicted, and of the Terms and Conditions on which His Majesty's Order for such Offender's Transportation was given ; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court, and in any Proceeding wherein it may be necessary to inquire into the same.

Sentence of Transportation in India, &c. to be notified by the Officer commanding in Chief to some Judge of one of

XII. Provided always, and be it further enacted, That whenever any Sentence of Transportation passed by any Court-martial holden in the *East Indies*, or in *Saint Helena*, or in His Majesty's Settlements of the *Cape of Good Hope* or *Ceylon*, or in any Settlement occupied by His Majesty's Forces beyond the *Cape of Good Hope*, is to be carried into Execution, or Mercy shall be extended to any Offender liable to the Punishment of Death by the

the Sentence of any such Court-martial, upon Condition of Transportation, the same shall be notified in Writing by the Officer commanding in Chief His Majesty's Forces in *India*, or in *Saint Helena*, or at the *Cape of Good Hope*, or in the Island of *Ceylon*, or at any other Foreign Settlement, Island, Territory, or Country belonging to His Majesty, within the Limits of the Charter of the United Company of Merchants of *England* trading to the *East Indies*, or in the Absence of the Officer commanding in Chief, then by the Adjutant General for the Time being, to some Judge of one of the Supreme Courts of Judicature of the Presidencies of *Fort William*, *Fort Saint George*, or *Bombay*, or the Chief Justice or other Judge at the Island of *Ceylon*, or the *Cape of Good Hope*, or any such other Settlement, Island, Territory, or Country respectively as aforesaid, and thereupon such Judge shall make an Order for the Transportation of such Offender, upon the Terms and for the Time which shall be specified in such Notification; and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Judge is authorized to make or do with respect to Offenders ordered to be transported by Sentence of the Criminal Courts in *India*; and the Governor and Council of such Presidency, or Governor of such Settlement, Island, Territory, or Country respectively, shall and they are hereby required to take Order for the Transportation of all such Offenders accordingly.

the Supreme Courts, who shall make Order for such Transportation.

XIII. And be it further enacted, That if any Offender under Sentence of Death by a Court-martial as aforesaid, shall obtain His Majesty's conditional Pardon as aforesaid, all and every the Laws now in force touching the Escape of Felons under Sentence of Death, shall apply to such Offender, and to all Persons aiding, abetting, or assisting in any Escape or intended Escape of any such Offender, or contriving any such Escape, from the Time when such Order shall be made by such Justice or Baron as aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid.

Offenders under Sentence of Death, obtaining His Majesty's conditional Pardon, shall be subject to the Laws touching the Escape of Felons, &c.

XIV. And be it further enacted, That His Majesty may from Time to Time grant a Commission under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and that His Majesty may likewise from Time to Time, by His Royal Commission, empower the Chief Governor or Governors of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, the Governor of *Gibraltar*, and the Governor of any of His Majesty's Dominions beyond the Seas respectively, or the Person or Persons there commanding in Chief His Majesty's Forces for the Time being, and may also from Time to Time extend His Royal Warrant to the Commander of the Forces in that Part of the said United Kingdom called *Ireland*, and to any General or other Officer having the Command of a Body of His Majesty's Forces within the United Kingdom of *Great Britain* and *Ireland*, or in any of His Majesty's Dominions, or elsewhere beyond the Seas, or to the General or other Officer commanding such Body of Forces for the Time being, empowering them respectively to appoint General Courts-martial, as well as to authorize any Officer under their respective Command, not below

The King may grant a Commission for holding Courts-martial, &c.

below the Degree of a Field Officer, to convene General Courts-martial as Occasion may require, for the Trial of Offences committed by any of their Forces under their several Command, whether the same shall have been so committed before or after such General Officer shall have taken upon himself such Command; all which Courts-martial shall be constituted, and shall regulate their Proceedings, according to the several Provisions hereinafter specified.

None to be tried a Second Time for the same Offence, except in Cases of Appeal.

XV. Provided always, and be it hereby declared and enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial; and that no Sentence given by any Court-martial, and signed by the President thereof, shall be liable to be revised more than once.

Act not to exempt Soldiers from ordinary Proceedings.

XVI. Provided also, That nothing in this Act contained shall extend or be construed to exempt any Officer or Soldier whatsoever from being proceeded against by the ordinary Course of Law.

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XVII. And be it further enacted, That if any Officer, Non-commissioned Officer, or Soldier, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land, the Commanding Officer and Officers of every Regiment, Troop, Company, or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding or assisting to the Officers of Justice in apprehending such Offenders, every such Officer so offending, and being thereof convicted, upon any Information or Indictment in any of His Majesty's Courts of Record at *Westminster*, or in any of His Majesty's Courts in *Scotland*, or in *Dublin*, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service, and a Certificate thereof shall be transmitted to the Judge Advocate in *London*.

Persons acquitted, &c. by the Civil Magistrate.

XVIII. Provided always, That no Person or Persons, being acquitted or convicted of any Capital Crimes, Violences, or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons imprisoned for Criminal Offences not to receive Pay till they return to their Regiment, &c.

XIX. And be it further enacted, That no Officer, Noncommissioned Officer, or Soldier, who shall be arrested and committed to Prison upon a Charge of any Criminal Offence, shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Regiment, Troop, Company, or Detachment in which he shall belong, or which he shall be ordered to join; provided that if he shall be acquitted of the Offence for which

which he was committed, he shall upon the Return to his Corps be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment during the Time of his Confinement, as well under the original Commitment as under any Commitment consequent upon such Conviction, and until the Day of his Return to the Regiment, Troop, Company, or Detachment to which he shall belong, or which he shall be ordered to join: Provided always, that it shall be lawful for the Secretary at War for the Time being to order the Issue and Payment to any such Officer, Noncommissioned Officer, or Soldier, during any such Commitment or Imprisonment, or either of them, or any Part thereof, of the Pay of any such Officer, Noncommissioned Officer, or Soldier, or of any Proportion of such Pay, or of any Arrears thereof, either during such Commitment or Imprisonment, or after the Discharge of such Officer, Noncommissioned Officer, or Soldier, after Conviction, or otherwise, as shall appear to the Secretary at War to be proper; and the Order of the Secretary at War for the Payment of such Pay or Arrears shall be a sufficient Discharge for such Payment.

Secretary at War empowered to order such Payment.

XX. And it is hereby enacted and declared, That all General Courts-martial held under the Authority of this Act shall consist of Thirteen or Nine Commissioned Officers, as the Case may require; except the same shall be holden upon any Officer, Noncommissioned Officer, or Private Soldier of His Majesty's Forces, which shall be serving in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in His Majesty's Colony of the *Bermuda Isles*; in which Cases any General Court-martial may consist of any Number not less than Seven; and except the same shall be holden in *Africa* or in *New South Wales*, in which Places such General Courts-martial may consist of any Number not less than Five; of whom none shall be under the Degree of a Commissioned Officer; nor shall the President of any General Court-martial be the Officer commanding in Chief, or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had; nor in any Case whatsoever under the Degree of a Captain.

General Courts-martial to consist of 13 or 9 Commissioned Officers, except in certain Places.

XI. Provided always, and be it further enacted, That it shall be lawful for any General or other Officer commanding any Station, or commanding any Division, Brigade, Detachment or distinct Party belonging to any Army of His Majesty, which may at any Time be serving in any Place beyond the Seas out of His Majesty's Dominions, upon Complaint made to him of any Crime or Crimes, Offence or Offences, done or committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Noncommissioned Officer, Soldier or other Person serving with or belonging to His Majesty's Armies, being under the immediate Command of any such General or other Officer, to summon and cause to assemble a General Court-martial, which shall consist of not less than Three Officers at the least, for the Purpose of trying any such Person or Persons accused

General or other Officers commanding Stations abroad may summon General Courts-martial in certain Cases.

or

or suspected of having committed any such Crime or Crimes, Offence or Offences as aforesaid, notwithstanding any such General or other Officer shall not have received from His Majesty, or from any Person having His Majesty's Authority in that Behalf, any Warrant or Warrants empowering such General or other Officer to summon or assemble Courts-martial; and every such Court-martial shall have Power to try any such Person or Persons so accused or suspected as aforesaid, and to adjudge any such Person or Persons to suffer any such Punishment as shall be prescribed for any Crime or Crimes, Offence or Offences, with which any such Person or Persons shall be charged before such Court-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding in Chief the Army of which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong, shall have approved and confirmed the same: Provided also, that every such Court-martial shall have such and the same Powers for summoning and examining Witnesses, and that Witnesses guilty of Perjury on Examination before them shall be subject and liable to the same Penalties and Punishments as are or shall be by any Law or Usage in force in relation to any other Court-martial, or to any Witnesses examined before any other Court-martial.

General Courts-martial (except, &c.) not to consist of less than 13 Members.

XXII. Provided always, and be it further enacted, That no General Court-martial for the Trial of any Officer (except the same shall be holden in any Place beyond the Seas out of His Majesty's Dominions, and out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in His Majesty's Colony of the *Bermuda Isles*, or in *Africa* or *New South Wales*) shall consist of less than Thirteen Members.

No General Court-martial of less than 13, except in certain Places, shall sentence any Soldier to Loss of Life, &c.

XXIII. Provided always, and be it further enacted, That no General Court-martial, consisting of any less number than Thirteen Commissioned Officers, unless holden in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in His Majesty's Colony of the *Bermuda Isles*, or in *Africa* or *New South Wales* as aforesaid, shall sentence any Noncommissioned Officer or Soldier to Loss of Life or Limb, or Transportation.

General Courts-martial may inflict Corporal Punishment, or Imprisonment, &c. for Immoralities, &c.

XXIV. And be it further enacted, That it shall be lawful for any such General Court-martial, by their Sentence or Judgment, to inflict Imprisonment, solitary or otherwise, or Corporal Punishment, not extending to Life or Limb, as such Court shall think fit, on any Noncommissioned Officer or Soldier, for Immoralities, Misbehaviour, or Neglect of Duty, or to adjudge a Forfeiture of all Benefit or Advantage as to Increase of Pay, or as to Pension, which might otherwise have accrued to such Noncommissioned Officer or Soldier from the Length or Nature of his Service: Provided always, that it shall not be lawful for any General Regimental Court-martial to award such Forfeiture of Benefit or Advantage as to Increase of Pay, or as to Pensions as aforesaid, except in Cases of Desertion as before provided for.

General or

XXV. Provided always, and be it further enacted, That it shall be

be lawful for any General or other Court-martial to sentence any Noncommissioned Officer or Soldier to Imprisonment with or without hard Labour, as the Court shall think fit, in any House of Correction, Common Gaol, or Public Prison, or in any other Place which such Court may appoint for that Purpose; and all Gaolers and Keepers of Houses of Correction or Prisons shall receive into their Custody, and keep in Confinement for such Time as they shall be respectively required so to do, or until discharged, any Noncommissioned Officer or Soldier who may have been sentenced to Imprisonment by any General or other Court-martial, and shall provide a proper Place for the Confinement of any such Noncommissioned Officer or Soldier, according to the Sentence of such Court, during the Period of his Imprisonment, upon receiving an Order in Writing from the Commanding Officer of the District within which such General Court-martial shall have been held, or from the Commanding Officer of any Regiment or Corps to which such Noncommissioned Officer or Soldier so tried by any Regimental Court-martial as aforesaid shall belong; and every such Gaoler or Keeper of any such House of Correction shall, upon receiving an Order in Writing from any such Commanding Officer as aforesaid, deliver any such Noncommissioned Officer or Soldier to any Person, on producing such Order, although the Period for which he was originally sent to such Gaol or House of Correction shall not have expired; and every Gaoler and Keeper of a House of Correction or Prison, who shall refuse to receive and to confine any such Noncommissioned Officer or Soldier in Manner as aforesaid, shall forfeit for every such Offence the Sum of One hundred Pounds, to be recovered by Action of Debt or Information for the Use of His Majesty.

other Courts-martial may sentence Non-commissioned Officers or Soldiers to Imprisonment in any House of Correction or Gaol, &c.

Penalty on Gaolers refusing to receive them.

XXVI. And be it further enacted, That every Noncommissioned Officer or Soldier sentenced to Imprisonment by any General or other Court-martial shall forfeit all Right to any Pay from the Day of his Commitment during the Time of such Imprisonment; and also, that during the Continuance of any Imprisonment in any Gaol or House of Correction, the Gaoler or Keeper of such Prison or House of Correction in *Great Britain*, and in *Ireland* the Inspector under whose immediate Inspection such House of Correction, Gaol, or Prison shall be, shall receive and apply in the Maintenance of such Noncommissioned Officer or Soldier the Sum of Sixpence *per Diem* out of the Subsistence of such Noncommissioned Officer or Soldier during the Time that such Noncommissioned Officer or Soldier shall continue in Custody; which said Sum the Secretary at War is hereby authorized and required to cause to be paid to the said Gaoler or Keeper, or Inspector respectively as aforesaid, upon receiving an Application in Writing signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison, or House of Correction shall be locally situate, together with a Copy of the Order under which the said Noncommissioned Officer or Soldier was confined: Provided always, that it shall be lawful for the Secretary at War, if he should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on Account of such Noncommissioned Officer or Soldier, during or after the Expiration

Such Non-commissioned Officers and Soldiers to forfeit their Pay.

Allowance to Gaolers, &c.

piration of the Period of his Imprisonment in any Gaol, House of Correction, or Place of Military Confinement.

Courts-martial may administer Oaths to Witnesses.

XXVII. And be it further enacted, That all General and other Courts-martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination on Trial of any of the Offences that shall come before them.

Officers to be sworn.

XXVIII. And be it further enacted, That in all Trials by General Courts-martial to be held by virtue of this Act, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists, before the Judge Advocate or his Deputy (who are hereby authorized to administer the same); that is to say,

Oaths to be taken by all Members of a General Court-martial.

‘ YOU shall well and truly try and determine, according to your Evidence, in the Matter now before you.
‘ So help you GOD.’

‘ I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty’s Forces, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise, which is not explained by the said Articles or Act of Parliament, according to my conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by His Majesty, or by some Person duly authorized by Him; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness, by a Court of Justice or a Court-martial, in a due Course of Law.
‘ So help me GOD.’

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

The Oath.

‘ I do swear, That I will not upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any Particular Member of the Court-martial, unless required to give Evidence thereof as a Witness, by a Court of Justice, or a Court-martial, in a due Course of Law. ‘ So help me GOD.’

In Sentences of Death, what Number of Officers shall concur, &c.

And no Sentence of Death shall be given against any Offender in such Case by any General Court-martial, unless Nine Officers present shall concur therein (except such General Court-martial shall be holden in any Place beyond the Seas out of His Majesty’s Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in His Majesty’s Colony of the *Bermuda Isles*, or in *Africa*, or in *New South Wales* as aforesaid); and in all Cases where a Court-martial shall consist of more Officers than Thirteen, and also in any Place beyond the Seas out of His Majesty’s Dominions, or out of any of the Settlements belonging to the United

United Company of Merchants of *England* trading to the *East Indies* or in the said Colony of the *Bermuda Isles*, or in *Africa* and in *New South Wales* as aforesaid, when the same shall consist of a lesser Number of Officers, then such Judgment shall pass by the Concurrence of Two Thirds at the least of the Officers present; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, in like Manner as Witnesses attending any of His Majesty's Courts of Law are privileged; and that if any such Witness shall be unduly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested; or if the Court out of which the Writ or Process issued be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and that all Witnesses so duly summoned as aforesaid, who shall not attend on such Courts, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Session or Sheriff Depute, or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of His Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made to the said Court of King's Bench, or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies*, or elsewhere respectively, in like Manner as if such Witness had neglected to attend in a Trial in any Criminal Proceeding in that Court.

Hours of Trial.

Witnesses attending Courts-martial to be privileged from Arrest.

Witnesses not attending liable to be attached.

XXIX. Provided always, and be it further enacted, That in all Trials by any Courts-martial, other than General Courts-martial, which shall be held by virtue of this Act, or of any Articles of War established by His Majesty in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the Holy Evangelists (which Oaths shall and may be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the said Oaths); that is to say,

' YOU shall well and truly try and determine, according to your Evidence, in the Matter now before you.

' So help you GOD.'

' I do swear, That I will duly administer Justice according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act of Parliament
' now

Proceedings on Trials by Courts-martial other than General Courts-martial.

Oaths to be taken by the Members of such Courts-martial.

‘ now in force for the Punishment of Mutiny and Desertion, and
 ‘ other Crimes therein mentioned, without Partiality, Favour, or
 ‘ Affection; and if any Doubt shall arise which is not explained
 ‘ by the said Articles or Act of Parliament, according to my
 ‘ Conscience, the best of my Understanding, and the Custom of
 ‘ War in the like Cases. ‘ So help me GOD.’

Appointment of
 President.

And the President of every such Court-martial (not being under the Rank of a Captain) shall be appointed by the Commanding Officer of the Regiment, Detachment, or Brigade, or the Governor or Commander of the Garrison, Fort, Castle, or Barrack, directing such Court-martial.

As often as
 shall be neces-
 sary, Officers of
 the Land and
 Marine Forces
 may sit in con-
 junction upon
 Courts-martial,
 taking Rank
 according to the
 Seniority of
 their Commis-
 sions.

‘ XXX. And Whereas it may be expedient in certain Cases,
 ‘ and particularly in such Matters wherein any of His Majesty’s
 ‘ Marine Forces may be interested, that Officers of the Marines
 ‘ should be associated with Officers of the Land Forces, for the
 ‘ Purpose of holding Courts-martial;’ Be it enacted and declared,
 That when and as often as it may be necessary, it shall and may
 be lawful for Officers of the Land and Marine Forces to sit in
 conjunction upon Courts-martial, and to proceed in the Trial of
 any Officer or Soldier of the Land Forces in like Manner, to all
 Intents and Purposes, as if such Courts-martial were composed
 of Officers of the Land Forces only, and whether the Com-
 manding Officer by whose Orders such Court-martial is assembled
 belongs to the Land or to the Marine Forces; and the Officers of
 the Land and Marine Forces are in such Cases to take Rank ac-
 cording to the Seniority of their Commissions in either Service.

Officers of the
 King’s Forces
 and Officers in
 the East India
 Company’s
 Service may sit
 in conjunction
 at Courts-
 martial, &c.

‘ XXXI. And Whereas it may also be expedient that Officers
 ‘ of His Majesty’s Land Forces, when employed in conjunction
 ‘ with Officers in the Service of the United Company of Mer-
 ‘ chants of *England* trading to the *East Indies*, should in certain
 ‘ Cases be associated for the Purpose of holding Courts-martial;’
 Be it enacted and declared, That when and as often as there
 may be occasion, it shall and may be lawful for Officers of His
 Majesty’s Land Forces, and of the Forces in the Service of the
 United Company of Merchants of *England* trading to the *East
 Indies*, to sit in conjunction at Courts-martial, and to proceed
 in the Trial of any Officer or Soldier in like Manner, to all Intents
 and Purposes, as if such Courts-martial were composed of Officers
 of His Majesty’s Land Forces, or of Officers in the Service of
 the said United Company only; with this Distinction, that upon
 the Trial of any Officer or Soldier of His Majesty’s Land Forces,
 Regard shall be had to the Regulations and Provisions made by
 or in pursuance of this Act; and the Oaths administered to the
 several Members of the Courts-martial shall be in the Terms by
 this Act prescribed; and upon the Trial of any Officer or Sol-
 dier in the Service of the said United Company, Regard shall be
 had to the Regulations and Provisions made by or in pursuance
 of an Act passed in the Fourth Year of the Reign of His present
 Majesty, intituled *An Act to consolidate and amend the Laws for
 punishing Mutiny and Desertion of Officers and Soldiers in the
 Service of the East India Company, and to authorize Soldiers and
 Sailors in the East Indies to send and receive Letters at a reduced
 Rate of Postage*; notwithstanding any Officer in the Service of
 the said United Company may have a Commission from His
 Majesty;

Majesty; and the Oaths administered to the several Members of the Court-martial shall be in the Terms prescribed by the same Act.

XXXII. And be it further enacted, That the Party tried by any General Court-martial within *Europe* (except in the Garrison of *Gibraltar*) shall be entitled to a Copy of the Sentence and Proceedings of such Court-martial, upon Demand thereof made by himself or by any other Person or Persons on his Behalf (he or they paying reasonably for the same), at any Time not sooner than Three Months after such Sentence; and in case of Trial by any General Court-martial at *Gibraltar*, at any Time not sooner than Six Months after the Sentence given by such Court-martial; and in case of Trial by any General Court-martial in His Majesty's other Dominions beyond the Seas, or in Foreign Parts, at any Time not sooner than Twelve Months after the Sentence given by such Court-martial, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding.

The Party tried entitled to a Copy of the Sentence and Proceedings of the Court-martial.

XXXIII. Provided always, and be it enacted, That every Judge Advocate or Person officiating as such at any General Court-martial do and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Judge Advocate General in *London*; and the said original Proceedings and Sentence are to be carefully kept and preserved in the Office of the said Judge Advocate General, to the end that the Persons entitled thereto may be enabled, upon Application to such Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

Proceedings, &c. of Court-martial to be transmitted to the Judge Advocate General.

XXXIV. Provided also, and be it further enacted and declared, That none of the Proceedings of any General or Regimental Court-martial, nor any Entry or Copy thereof, shall be charged or chargeable with any Stamp Duty whatsoever; any thing contained in any former Act or Acts to the contrary notwithstanding.

Proceedings of Courts, &c. not liable to Stamp Duty.

XXXV. And be it further enacted, That it shall and may be lawful to and for His Majesty to form, make, and establish Articles of War for the better Government of His Majesty's Forces; which Articles shall be judicially taken notice of by all Judges, and in all Courts whatsoever.

His Majesty empowered to make Articles of War.

XXXVI. And for the more effectual Notification thereof to the several Judges and Persons hereinafter mentioned, be it further enacted, That Copies of all such Articles of War, printed by the King's Printer, shall from time to time, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War for the Time being, signed with his own Hand and Name, to the Judges of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Colonies, Plantations, and Territories abroad.

Copies of Articles of War to be transmitted to the Judges, &c.

XXXVII. And be it further enacted, That for bringing Offenders against such Articles of War to Justice, it shall be lawful for His Majesty to erect and constitute Courts-martial, as well as to grant His Royal Commissions or Warrants to the Persons and in the Manner herein mentioned and expressed for convening and authorizing others to convene Courts-martial, with Power to try, hear, and determine any Crimes or Offences by such Articles of

His Majesty to constitute and to authorize others to convene Courts-martial.

War, and to inflict Penalties by Sentence or Judgment of the same, as well within the United Kingdom of *Great Britain and Ireland*, in *Jersey, Guernsey, Alderney, Sark, or Man*, and the Islands thereto belonging, as in His Majesty's Garrison of *Gibraltar*, and in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas.

None to be adjudged of Life or Limb but for Crimes expressed to be so punishable.

XXXVIII. Provided always, That no Person shall, by such Articles of War, be subject to any Punishment extending to Life or Limb, within the United Kingdom of *Great Britain and Ireland, Jersey, Guernsey, Alderney, Sark, or Man*, or any of the Isles thereto belonging, for any Crime which is not expressed to be so punishable by this Act; nor for such Crimes as are expressed to be so punishable, in any Manner, or under any Regulations, which shall not accord with the Provisions of this Act.

Offenders beyond Sea, &c. may be tried here, &c.

XXXIX. Provided always, and be it further enacted, That if any Officer or Soldier, or any other Persons subject to the Provisions of this Act, shall in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, and shall after the Commission of any such Offence go or be sent to any other Station or Part of His Majesty's Dominions in the Course of Service abroad, or come or be brought into this Realm, or into *Jersey, Guernsey, Alderney, Sark, or Man*, or the Islands thereto belonging, before he be tried by a Court-martial for such Offence, such Officer or Soldier or other Person shall be tried and punished for the same at such other Station or Part of His Majesty's Dominions, or within the Realm, or any such Island as aforesaid, as if the Offence had been committed where such Trial shall take place.

Musters to be made Twice a Year.

XL. And Whereas it is of essential Importance, as well to the due Observance of public Economy as to the Discipline of His Majesty's Forces, that they should be regularly mustered, and that the Musters should be taken with the strictest Accuracy and Exactness: Be it therefore enacted, That Musters shall be made, had, or taken of every Regiment, Troop, or Company in His Majesty's Service Twice at the least in every Year, at such Times as shall be appointed.

No Muster in Westminster, &c. but in the Presence of Two or more Justices.

XLI. And be it further enacted, That no Officer shall muster any Regiment, Troop, or Company within the City of *Westminster* and Borough of *Southwark*, and Liberties thereof, but in the Presence of Two or more Justices of the Peace, not being Officers of the Army, under the Penalty of Fifty Pounds, and of being discharged from his Office, unless such Justices, upon Forty eight Hours Notice being given to Six of His Majesty's Justices of the Peace residing within the City and Liberties aforesaid respectively, shall neglect to attend such Muster; and in case of such Neglect, such Officer may proceed to muster such Regiment, Troop, or Company; provided that Oath be made before any of His Majesty's Justices of the Peace, within Forty eight Hours after such Muster taken, that such Notice was given to Six Justices of the Peace as aforesaid; which Justices so attending are hereby empowered to sign the said Muster Rolls, and to take Recognizance of such Muster, and to examine the Truth thereof before they sign the same.

XLII. Pro-

XLII. Provided always, and be it further enacted, That all Muster Rolls and Pay Lists which are required to be verified upon Oath, shall be sworn before and be attested by any Justice of the Peace or Magistrate, who are hereby authorized and required to administer such Oath, and attest the same, without Payment of any Fee or Reward whatever in respect thereof, either to such Justice or Magistrate, or the Clerk of any such Justice or Magistrate.

Muster Rolls and Pay Lists to be verified on Oath, and attested by a Magistrate without Fee.

XLIII. And for preventing of Fraud and Deceit in the mustering of Soldiers; Be it further enacted, That if any Person shall make or give, or procure to be made or given, any false or untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster, or any other Service which he ought to attend or perform, upon Pretence of such Soldier being employed on some other Duty of the Regiment, or being Sick, in Prison or on Furlough; then every such Person so making, giving, or procuring such Certificate, shall for every such Offence forfeit the Sum of Fifty Pounds, and shall be forthwith cashiered and displaced from his Office, and shall be thereby utterly disabled to have or hold any Military Office or Employment within this Realm, or in His Majesty's Service; and no Certificate shall excuse the Absence of any Soldier, but for the Reasons above mentioned, or one of them.

Penalty on giving false Certificates to excuse Soldiers from Musters.

XLIV. And be it further enacted, That every Officer that shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof; and also every Officer who shall directly or indirectly take or cause to be taken any Sum or Sums of Money, or any other Gratuity, on or for the mustering any Regiment, Troop, or Company, or on or for the signing of any Muster Rolls or any Duplicate thereof, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial to be thereupon called (which is hereby authorized and required to administer such Oath), shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain and Ireland*, or in His Majesty's Service.

Penalty on Officers making false Musters, &c.

XLV. And be it further enacted, That if any Officer shall knowingly muster any Person by a wrong Name, upon Conviction thereof before a General Court-martial, the said Officer shall be subject to such Penalties as are directed and inflicted by this Act upon those who shall make false Musters.

Penalty on Officers mustering Persons by wrong Names.

XLVI. And be it further enacted, That if any Person shall be falsely mustered, or offer himself falsely or deceitfully to be mustered, upon Proof thereof made upon Oath by Two Witnesses before any Justice of the Peace for the County residing near the Place where such Muster shall be made, and upon Certificate thereof in Writing, under the Hand of the Officer appointed to take the Muster, made to such Justice of the Peace, the said Justice is hereby authorized and required to commit such Offender to the House of Correction, there to remain for the Space of Ten Days; and if any Person shall wittingly or willingly lend or furnish any Horse to be mustered which shall not truly belong

Penalty on Persons offering themselves to be falsely mustered.

Horses falsely mustered to be forfeited, &c.

Forfeiture how
to be levied.

Soldiers giving
Information of
false Musters
entitled to
Discharge.
Muster Rolls
Ten Miles
distant from
London, to be
closed within
24 Hours after
the Muster, and
returned within
Seven Days to
the Secretary at
War.

Recital of the
Petition of
Right, 3 Car. 1.
&c.

to the Trooper or Troop so mustered, the said Horse so falsely mustered shall be forfeited to the Informer, if the same doth belong to the Person lending or furnishing the said Horse, or otherwise the Person lending or furnishing the said Horse shall forfeit the Sum of Twenty Pounds, upon Oath made by Two Witnesses, before some Justice of the Peace residing near to the Place where such Muster shall be made; which Twenty Pounds shall be levied by Warrant under the Hand and Seal of the said Justice by Distress and Sale of the Goods and Chattels of the Person so offending, rendering the Overplus (if any be) to the Owner; and in case such Offender shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty to be recovered against him, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bailor Mainprize for the Space of Three Months, or cause such Offender to be publicly whipped, at the Discretion of such Justice; and the said Forfeiture shall be given or paid to such Person or Persons that shall give Information thereof; and the said Informer or Informers, if belonging to the Service, shall have a Right to be discharged forthwith, if he or they shall demand the same.

XLVII. And be it further enacted, That in *Great Britain*, the Officer who shall be appointed to take the Half-yearly Muster of any Regiment, Troop, or Company in His Majesty's Service at any Place Ten Miles distant from *London*, shall close the Muster Rolls of the said Regiment, Troop, or Company within Twenty four Hours after such Muster shall have been made, and shall return the Rolls so taken by the Post or other safe Conveyance, within Seven Days after their being closed, to the Secretary at War, and shall also, if required so to do, send One Copy thereof to the Paymaster General of His Majesty's Land Forces, and One Copy thereof to the Comptrollers of the Accounts of the Army, on or before the First Day of *May* and Twenty ninth Day of *September* respectively following such Half-yearly Muster; and no Alterations or Indorsements shall be made in or upon the said Muster Rolls, other than in the Case of Orders of Leave or Dates of Commissions, and other than involuntary Errors or literal Mistakes in Writing or transcribing the said Muster Rolls, upon pain of forfeiting the Employment of such Officer, as also the Sum of Twenty Pounds for every such Offence to any Person who shall sue for the same.

XLVIII. And Whereas by *The Petition of Right*, in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the *British* Parliament, made in the One and thirtieth Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred sixty two Pounds Seventeen Shillings and Three Pence for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whatsoever, should from thenceforth presume to place, quarter, or

' or billet any Soldier or Soldiers upon any Subject or Inhabitant
 ' of this Realm, of any Degree, Quality, or Profession whatsoever
 ' without his Consent; and that it shall and may be lawful for
 ' any Subject, Sojourner, or Inhabitant, to refuse to quarter any
 ' Soldier or Soldiers, notwithstanding any Demand or Warrant,
 ' or Billetting whatsoever: But forasmuch as at this Time, and
 ' during the Continuance of this Act, there is and may be Oc-
 ' casion for the marching and quartering of Regiments, Troops
 ' and Companies in several Parts of the United Kingdom of *Great*
 ' *Britain and Ireland*; Be it further enacted, That for and during
 the Continuance of this Act, and no longer, it shall and may be
 lawful to and for the Constables, Tithingmen, Headboroughs, and
 other Chief Officers and Magistrates of Cities, Towns, and Villages,
 and other Places within *England, Wales*, and the Town of *Ber-*
wick-upon-Tweed, and in their Default or Absence, for any One
 Justice of the Peace inhabiting in or near any such City, Town,
 Village, or Place, and for no others; and such Constables and
 other Chief Magistrates as aforesaid are hereby required to quarter
 and billet the Officers and Soldiers in His Majesty's Service, and
 Persons receiving Pay in His Majesty's Army, in Inns, Livery
 Stables, Alehouses, Victualling Houses, and the Houses of Sellers
 of Wine by Retail, whether *British* or Foreign, to be drank in
 their own Houses or Places thereunto belonging, other than and
 except Canteens held and occupied under the Authority of the
 Commissioners for the Affairs of Barracks or of the Department
 of the Ordnance, and other than and except Persons who keep
 Taverns only, being Freemen of the Company of Vintners of the
 City of *London*, who were admitted to their Freedom before
 the Fifth Day of *July* One thousand seven hundred and fifty,
 seven, or who since have or shall hereafter be admitted to their
 Freedom of the said Company, in Right of Patrimony or Appren-
 ticeship, notwithstanding such Persons who keep Taverns only,
 have taken out Victualling Licences; and all Houses of Persons,
 selling Brandy, Strong Waters, Cider, or Metheglin by Retail to
 be drank in Houses, other than and except the House or Houses
 of any Distillers, who keep Houses or Places for distilling Brandy
 and Strong Waters, and the House of any Shopkeeper whose prin-
 cipal Dealing shall be more in other Goods and Merchandize than
 in Brandy and Strong Waters (so as such Distillers and Shop-
 keepers do not permit or suffer Tippling in his or their Houses)
 and in no other, and in no private Houses whatsoever; nor shall
 any more Billets at any Time be ordered than there are effective
 Soldiers present to be quartered; all which Billets, when made out
 by such Chief Magistrates or Constables, shall be delivered into
 the Hands of the Commanding Officer present; and if any Con-
 stable, Tithingman, or such like Officer or Magistrate as aforesaid,
 shall presume to quarter or billet any such Officer or Soldier in
 any such private House, without the Consent of the Owner or
 Occupier, in such Case such Owner or Occupier shall have his or
 their Remedy at Law against such Magistrate or Officer for the
 Damage that such Owner or Occupier shall sustain thereby;
 and if any Military Officer shall take upon him to quarter
 Soldiers otherwise than is limited and allowed by this Act, or
 shall use or offer any Menace or Compulsion to or upon any

Constables, &c.
 in England to
 quarter Officers
 and Men in
 Inns, Ale
 Houses, &c.;

but in no Dis-
 tillers or Shop-
 keepers Houses,
 or in any private
 Houses.

Remedy
 against Con-
 stables, &c.
 quartering Sol-
 diers in private
 Houses, &c.

Penalty on
 Officers quar-
 tering Soldiers
 contrary to this
 Act, &c.

Persons ag-
grieved by
being quartered
on may com-
plain to any
Justice, and be
relieved.

Mayors, Constables, or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Military Officer shall for every such Offence (being thereof convicted before any Two or more of the Justices of the Peace of the County, by the Oath of Two credible Witnesses,) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof to be transmitted to the Judge Advocate in *London*, who is hereby obliged to certify the same to the Commander in Chief and Secretary at War; and in case any Person shall find himself aggrieved, in that such Constable, Tithingman, or Headborough, Chief Officer or Magistrate, (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Soldiers than he ought to bear in proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City, or Liberty where such Soldiers are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City, or Liberty, such Justices respectively shall have and have hereby Power to relieve such Person, by ordering such and so many of the Soldiers to be removed, and quartered upon such other Person or Persons as they shall see Cause, and such other Person or Persons shall be obliged to receive such Soldiers accordingly.

Regulations
for quartering
Soldiers in
Ireland.

‘ XLIX. And Whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers and providing Carriages for the Baggage of Soldiers on their March*, it was amongst other things enacted and declared, that no Officer, Soldier or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard of Battle Axes, nor any Officer commanding the said Yeoman, nor any Servant of any such Officer, should at any Time thereafter have, receive, or be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some Sea-port Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army or any considerable Part thereof should be commanded to march from any Part of *Ireland* to another, or during such Time or Times as he or they should be on their March as aforesaid: And Whereas the Barracks of *Ireland* are not at present sufficient to lodge all the Forces upon its Military Establishment: And Whereas it may be necessary to station Part of the Troops in Places where there are not Barracks, or not sufficient Barracks, to hold them; Be it enacted, and it is hereby declared and agreed, That it shall and may be lawful, notwithstanding the said recited Act, to and for the Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and other Places in *Ireland*, and in their Default or Absence

sence for any One Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others, and such Constables and other Chief Magistrates as aforesaid, or in their Default, such Justice of the Peace as aforesaid, are hereby required to quarter and billet the Officers and Soldiers in His Majesty's Service in Inns, Livery Stables, Alehouses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin by Retail; and where there shall not be found sufficient Room in such Houses, then in such Manner as has been heretofore customary, taking care not to billet less than Two Men in any One House, except only in case of billeting Horse or Dragoons in manner hereinafter mentioned; nor shall any Billets at any Time be ordered for more than the Number of effective Soldiers present to be quartered; all which Billets, when made out by such Chief Magistrates or Constables, or Justice of the Peace, as the Case may be, shall be delivered into the Hands of the Staff Officer employed, or of the Commanding Officer present; and if any Constable or other Chief Officer or Magistrate as aforesaid shall presume to quarter or billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof, then such Owner or Occupier shall have his or their Remedy in Law against such Magistrate or Officer for the Damage that such Owner or Occupier shall sustain thereby; and such Constable, Chief Officer, or Magistrate, being duly convicted of such Offence by Indictment, shall be imprisoned for the Space of One Calendar Month; and if any Military Officer shall take upon him to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayor, Constable, or other Chief Officer before mentioned, tending to deter or discourage any of them from performing any Part of their Duty hereby required or appointed, or to induce any of them to do any thing contrary to their said Duty, such Military Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the Peace of the County, by Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment whatsoever; provided the said Conviction be affirmed at the next Assizes or Quarter Sessions of the Peace for the said County, or County of a City or Town, and a Certificate thereof be transmitted to the Secretary at War; and in case any Person shall find himself aggrieved, in that such Constable, Chief Officer, or Magistrate, not being a Justice of the Peace, has quartered or billeted in his House a greater Number of Soldiers than he ought to bear in proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City, or Liberty where such Soldiers are quartered, or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City, or Liberty, such Justice or Justices respectively shall have, and have hereby Power to relieve such Person, by ordering such and so many of the Soldiers to be removed and

quartered upon such other Person or Persons as he or they shall see Cause, and such other Person or Persons shall be obliged to receive such Soldiers accordingly.

Soldiers not to be billeted above One Mile from the Places mentioned in the Route.

‘ L. And as very great Detriment and Inconvenience arise to the Service from the dispersing and billeting of Soldiers when on a March at a great Distance from the Place or Places where they are meant to be quartered, and contrary to the true Intent and Meaning of the said last-recited Act, and by reason of which they are placed wide of their intended Route for the next Day’s March;’ Be it therefore enacted, That at no Time when Troops are on a March shall any of them be billeted above One Mile from the Place or Places mentioned in the Route.

For the more equal billeting of soldiers on the Borders of Counties.

‘ LI. And Whereas Soldiers are often billeted and quartered on the March unequally, and to the Prejudice of some of His Majesty’s Subjects, by reason that the Places mentioned in the Route are on the Borders of Counties, and that the Keepers of Houses in which Soldiers may be quartered being out of the Parish or Place mentioned in the Route, although in the immediate Vicinity thereof, refuse to receive such Soldiers upon Billets granted by the Constables, Tithingmen, Headboroughs, or other Persons of such Places to whom the quartering of Soldiers belongs;’ For Remedy whereof, be it enacted, That in any such Case it shall be lawful for the Constable, Tithingman, Headborough, or other Person to whom the quartering of Soldiers in any Place mentioned in any Route on the Border of any County shall belong, and he and they is and are hereby required to quarter and billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in any such Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; and all Powers, Authorities, Clauses, Penalties, Forfeitures, and Provisions in this Act contained, in relation to the billeting and quartering of Soldiers, shall extend and be applied to all Billets so granted, as fully and effectually to all Intents and Purposes, and in like Manner in every respect, as if such Houses were locally situate within the Place mentioned in the Route: Provided always, that nothing herein contained shall extend or be construed to extend to authorize or empower any Constable, Tithingman, Headborough, or other Person, to billet or quarter Soldiers out of the County to which they belong, in any Case in which any Constable, Tithingman, or Headborough, or other Person of the adjoining County, shall be present, and undertake to billet and quarter the due Proportion of Men in such adjoining County.

Lord Lieutenant to appoint a Person to sign Routes.

‘ LII. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of Ireland to depute, by Warrant under his Hand and Seal, some proper Person to sign Routes for the marching of any of His Majesty’s Forces in Ireland, in the Name of such Lord Lieutenant or Chief Governor.

No Justice having any Military Office to be concerned

‘ LIII. Provided always, and be it further enacted, That no Justice or Justices of the Peace having or executing any Military Office or Commission in any Part of the United Kingdom shall and may, during the Continuance of this Act, directly or indirectly be

be concerned in the quartering, billeting, or appointing any Quarters for any Soldier or Soldiers in the Regiment, Troop, or Company under the immediate Command or Commands of such Justice or Justices, according to the Dispositions made for quartering of any Soldier or Soldiers by virtue of this Act; but that all Warrants, Acts, Matters, or Things executed or appointed by such Justice or Justices of the Peace for or concerning the same, shall be void; any thing in this Act contained to the contrary notwithstanding.

LIV. And be it further enacted and declared, That whenever any Order shall issue for the quartering or billeting the Officers or Soldiers of His Majesty's Regiments of Foot Guards within the Cities and Liberties of *Westminster*, and Places adjacent, lying in the County of *Middlesex*, and in the County of *Surrey*, and in the Borough of *Southwark* in the said County of *Surrey*, the High Constables shall deliver out Precepts to the several Petty Constables, Headboroughs, or Tithingmen of each Parish, Ward, Hamlet, and District within their respective Divisions, to billet and quarter such Officers and Soldiers of His Majesty's Regiments of Foot Guards on such Houses only as by this Act is limited within their respective Parishes, Hamlets, or Districts; and such Petty Constables, Headboroughs, and Tithingmen shall, in pursuance thereof, billet and quarter every such Officer and Soldier in such Houses so subjected thereto by this Act equally and proportionally, according to the Number of such Officers and Soldiers so to be billeted and quartered, and of the Houses so subjected to receive them; and such Officers and Soldiers of the Foot Guards shall be quartered within the said City and Liberties of *Westminster*, and Places adjacent, lying in the said County of *Middlesex* (except the City of *London*), and in the County of *Surrey*, and in the said Borough of *Southwark* in the said County of *Surrey*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act.

LV. And for the better preventing Abuses in billeting and quartering such Officers and Soldiers in the said City and Liberties of *Westminster*, and Parts adjacent, lying in the said County of *Middlesex*, and in the said County of *Surrey*, and in the said Borough of *Southwark* in the said County of *Surrey*; Be it enacted, That the Petty Constables, Headboroughs, and Tithingmen of their respective Parishes, Wards, Hamlets; and Districts within the same, shall at every General Quarter Sessions of the Peace to be holden for the said City and Liberties of *Westminster*, in the said County of *Middlesex*, and the said County of *Surrey*, and the said Borough of *Southwark* in the said County of *Surrey*, respectively, make and deliver to the Justices then in open Sessions assembled, upon Oath, which Oath they the said Justices are hereby authorized and required to administer, true Lists signed by them respectively of all such Houses, together with the Number of all such Persons respectively inhabiting the same, within his or their Parish, Ward, Hamlet, or District respectively, as are subject and liable by this Act to receive such Officers and Soldiers, together with the Names and Rank of all such Officers and Soldiers as are quartered and billeted in each House respectively; and

in billeting his Soldiers.

High Constable, &c. may issue Precepts for billeting Foot Guards in Westminster, &c.

Constables, &c. in Westminster and Surrey to deliver at Quarter Sessions Lists of Houses subject to receive Soldiers, &c. in their respective Divisions;

to be inspected
without Fee.

Copies of such
Lists to be
wrote by the
Clerk at 2d.
per Sheet, con-
taining 150
Words.

Penalty on
Default.

Penalty on giv-
ing defective
Lists.

How to be
levied.

Officers, Men,
and Horses,
belonging to
the Horse or
Dragoons, and
also Bât and
Baggage
Horses, &c.
how to be quar-
tered, &c.

and such Lists shall remain with the Clerks of the Peace of the said City and Liberties of *Westminster*, the said County of *Middlesex*, the said County of *Surrey*, and the said Borough of *Southwark* in the said County of *Surrey*, respectively, to the Intent that all and every Person and Persons may be at liberty to inspect the same without any Fee or Reward; and such Clerk shall forthwith from time to time make and deliver to every or any Person or Persons who shall require the same, true Copies of all and every or any such Lists, upon being paid Two Pence a Sheet for each and every such Copy so taken, each Sheet to be computed at and contain One hundred and fifty Words; and if Default or Neglect shall be made by any Petty Constable, Headborough, or Tithingman of any such Parish, Ward, Hamlet, or District, in the delivering such Lists to the Justices at their Quarter Sessions as aforesaid; or if he or they shall so deliver or cause to be delivered in any false or defective List, not including and specifying therein all and every such House and Houses so liable by this Act to receive such Officers and Soldiers, or the Names and Rank of all such Officers and Soldiers as are quartered and billeted in each House respectively; such Petty Constable, Headborough, and Tithingman, or any of them so offending therein, shall for every such Offence forfeit the Sum of Five Pounds, to the Use of the Poor of such respective Parishes, Wards, Hamlets, and Districts; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal or Hands and Seals of One or more of His Majesty's Justice or Justices of the Peace for the City and Liberties of *Westminster*, for the said County of *Middlesex*, and for the said County of *Surrey*, and for the said Borough of *Southwark* in the said County of *Surrey*, respectively (which Warrant or Warrants the said Justice or Justices is and are hereby empowered and required to make and issue); and for Want of sufficient Distress to be found for that Purpose, the said Justice or Justices is and are hereby empowered and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to commit the Person or Persons so offending to the Common Gaol of the said City of *Westminster*, the said County of *Middlesex*, the said County of *Surrey*, or the said Borough of *Southwark* in the said County of *Surrey*, there to remain for any Time to be limited by such Justice or Justices, not exceeding Three Months nor less than One Month, without Bail or Mainprize.

LVI. And be it further enacted, That the Officers, Men, and Horses belonging to His Majesty's Horse or Dragoons, and also all Bât and Baggage Horses belonging to any of His Majesty's other Forces, and also the Horses belonging to Staff and Field Officers in His Majesty's Forces when upon actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, shall and may be quartered and billeted in the Inns, Livery Stables, Alehouses, Victualling Houses, and other Houses in which Officers and Soldiers are by this Act allowed to be quartered and billeted, and that they shall be received and furnished by the Owners or Occupiers of such Inns, Livery Stables, Alehouses, Victualling Houses, and other Houses in which they are so allowed to be

quartered

quartered and billeted, with Diet and Small Beer, and with Stables and Hay and Straw for such Horses, paying and allowing for the same the several Rates that are or shall be established by any Act or Acts in force in that respect.

LVII. And be it further enacted, That all Horses of Officers and Men belonging to His Majesty's Horse, Dragoons, Artillery or Commissariat, and also all Bât and Baggage Horses belonging to any of His Majesty's other Forces, and also the Horses belonging to Staff and Field Officers in His Majesty's Forces when upon actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, shall and may be quartered and billeted in *Ireland* in the Inns, Livery Stables, Alehouses, Victualling Houses, and other Houses in which Officers and Soldiers are by this Act allowed to be quartered and billeted; and that they shall be received and furnished by the Owners or Occupiers of such Inns, Livery Stables, Alehouses, Victualling Houses, and other Houses in which they are allowed to be so quartered and billeted, with Stables, and also with Hay and Straw for such Horses, at the Rate of Eighteen Pounds of Hay and Six Pounds of Straw each Horse per Night, in Cases in which Hay and Straw shall not be supplied by Contract for such Horses, such Owners or Occupiers being paid for the same the several Rates that are or shall be established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*.

LVIII. And Whereas Innkeepers or others on whom such Horses as before recited may have been billeted, have heretofore received an Allowance of Four Pence per Week for each such Horse for the Use of the Stable, when the Forage has been furnished by Contract; Be it enacted, That from and after the passing of this Act the said Allowance of Four Pence per Week shall continue to be paid only during the Time when such Horses shall be provided with Hay and Straw by Contract, and not by such Innkeepers or other Owners or Occupiers as aforesaid.

LIX. Provided always, and be it further enacted, That when any of His Majesty's Horse or Dragoons, or any other Horses as aforesaid, shall be quartered or billeted upon the Owner or Owners, Occupier or Occupiers of any Alehouse, Victualling House, or other House in which Officers or Soldiers may be quartered by virtue of this Act, who have no Stables; then and in such Case, and upon Complaint made by any Person or Persons having no Stables to Two or more Justices of the Peace of the Division, City, or Liberty where such Horse or Dragoons or other Horses shall be so quartered and billeted, and upon his or their making such Allowance, in lieu of his or their quartering such Horse or Dragoons or other Horses, as such Justice shall think reasonable, it shall and may be lawful for such Justices to order the Men and their Horses, or such Horses only, as the Case may be, to be removed and quartered upon some other Person or Persons who by this Act are liable to have Officers and Soldiers quartered and billeted upon them, who have Stables, and to order and settle a proper Allowance to be made by the Person or Persons having no Stables, in lieu of his or their quartering such Horse or Dragoons

Horses belonging to the Horse or Dragoons, Artillery or Commissariat, and also Bât and Baggage Horses, &c. how to be quartered in *Ireland*.

When Horses are provided with Hay and Straw by Contract, an Allowance shall be paid to the Innkeeper. Dragoons, &c. quartered on Persons who have no Stables, may be removed to those who have Stables, &c.

Dragoons or other Horses so to be removed as aforesaid; and also to order and direct that such Allowance shall be paid by the Person or Persons from whom such Men and Horses shall be removed, to or amongst the Person or Persons to whom such Men and Horses shall be so removed as aforesaid, or be applied in the furnishing of Quarters for the Reception of such Men and Horses, as the Case may require, and as such Justices shall think fit.

Dragoons, &c.
and their
Horses, to be
billeted in the
same Houses.

‘ LX. And Whereas great Inconveniences have arisen and may arise in such Places where Horse or Dragoons are or may be quartered, by the billeting of the Men and their Horses at different Houses, and often at great Distances from one another, contrary to the true Intent and Meaning of this Act;’ Be it therefore enacted, That in all Places where Horse or Dragoons shall be quartered or billeted in pursuance of this Act, for the future, the Men and their Horses shall be billeted in One and the same House (except in case of Necessity); and that in no other Case whatsoever there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in such Case each Man shall be billeted as near his Horse as possible.

Manner of
changing Men
and Horses.

‘ LXI. And Whereas some Doubts have arisen whether Commanding Officers of any Regiment, Troop, or Company may exchange any Men or Horses quartered in any Town or Place, with another Man or Horse quartered in the same Place, for the Benefit of the Service;’ Be it declared and enacted, That such Exchange as above mentioned may be made by such Commanding Officer respectively, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such House or Houses; and the Constables, Tithingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns, and Villages, or other Places where any Regiment, Troop, or Company shall be quartered, are hereby required to billet such Men and Horses so exchanged accordingly.

Penalty on
Officers taking
Money to excuse
any Person
from quartering.

LXII. Provided always, and be it enacted, That if any Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Soldiers, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Penalty on
Constables, &c.
taking Money
to excuse any
Person from
quartering;

LXIII. And be it further enacted, That if any High Constable, Constable, Beadle, or other Officer or Person whomsoever, who by virtue or colour of this Act shall quarter or billet, or be employed in quartering or billeting any Officers or Soldiers in any Part of the United Kingdom, shall neglect or refuse to quarter or billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whomsoever from quartering or receiving into his, her, or their House or Houses any such Officer or Soldier; or in case any Victualler, or any other Person liable by this Act to have any Officer or Soldier billeted

and on Victual-
lers refusing to
quarter Soldiers.

billeted or quartered on him or her, shall refuse to receive or to afford proper Accommodation to, or to victual any such Officer or Soldier so quartered or billeted upon him or her as aforesaid, or shall refuse to furnish or allow according to the Directions of this Act the several Things respectively directed to be furnished or allowed to Noncommissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid; or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse so quartered or billeted on him or her as aforesaid, at the Rate that is or shall be established by any Act or Acts in force in that respect, and shall be thereof convicted before One or more Justice or Justices of the Peace of the County, City, or Liberty within which such Offence shall be committed, either by his or her own Confession, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby empowered to administer), every such High Constable, Constable, Beadle, or other Officer or Person so offending, shall forfeit for every such Offence the Sum of Five Pounds, or any Sum of Money not exceeding Five Pounds nor less than Forty Shillings (as the Justice or Justices before whom the Matter shall be heard shall in his or their Discretion think fit); to be levied by Distress and Sale of the Goods of the Person so offending, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, or City, or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; which said Sum of Five Pounds, or the said Sum not exceeding Five Pounds nor less than Forty Shillings, when levied, shall be applied in the first Place in making such Satisfaction to any Soldier for the Expence he may have been put to by reason of his not being billeted or quartered as aforesaid, as such Justice or Justices shall order and direct, and the Remainder shall be paid to the Overseers of the Poor of the Parish if in *England*, and to the Churchwardens of the Parish if in *Ireland*, wherein the Offence shall be committed, or to some one of them, for the Use of the Poor of the said Parish.

Penalty how to
be levied and
applied.

LXIV. And for the better preventing Abuses in quartering or billeting the Soldiers in pursuance of this Act, Be it further enacted, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace within their respective Counties, Cities, or Liberties, in any Part of the United Kingdom, by Warrant or Order under his or their Hand and Seal or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Constable, Constable, Beadle, or other Officer who shall quarter or billet any Soldier in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Soldiers who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons upon whom every such Officer or Soldier shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and of the Signs (if any) belonging

Justices may
order Constables to give an
Account of the
Number of
Soldiers quar-
tered, &c.

to their Houses ; to the End that it may appear to the said **Justice** or **Justices** where such **Officers** and **Soldiers** are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Justices may
extend Routes
and enlarge
Quarters.

LXV. Provided always, and be it further enacted, That it shall be lawful for any **Justice** of the Peace, at the Request of any **Officer** or **Noncommissioned Officer** commanding any **Soldiers** requiring **Quarters** or **Billets**, in any Case in which it shall appear to such **Officer** or **Justice** that better Accommodation can be given to the **Troops** by extending any **Route** or enlarging the **District** within which **Quarters** and **Billets** shall be required, to enlarge such **Route**, and extend such **Quarters** and **Billets**, in such Manner as shall be most convenient to the **Troops** to be quartered and billeted ; any Thing in this Act or any other Act, or any **Law** or **Custom** to the contrary notwithstanding.

Officers and
Soldiers to pay
Rates for their
Diet.

LXVI. Provided also, and it is hereby enacted, That the **Officers** and **Soldiers** so quartered and billeted as aforesaid, shall be received and furnished with **Diet** and **Small Beer** by the **Owners** of the **Inns**, **Livery Stables**, **Alehouses**, **Victualling Houses**, and other Houses in which they are allowed to be quartered and billeted by this Act ; paying and allowing for the same the several Rates that are or shall be established by any Act or Acts in force in that respect.

If Innholders
furnish the Men
quartered on
them with Can-
dles, Salt, &c.
gratis, the
Men (except
when on a
March, &c.)
shall provide
their own
Victuals and
Small Beer.

LXVII. Provided always, and be it further enacted, That in case any **Innholder** or other Person on whom any **Noncommissioned Officers** or **Private Men** shall be quartered by virtue of this Act (except on a **March** or employed in recruiting, and likewise except the **Recruits** by them raised, for the Space of Seven Days at most for such **Noncommissioned Officers** and **Soldiers** who are recruiting and the **Recruits** by them raised,) shall be desirous to furnish such **Noncommissioned Officers** and **Soldiers** with **Candles**, **Vinegar** and **Salt**, gratis, and allow to such **Noncommissioned Officers** or **Soldiers** the Use of **Fire** and the necessary **Utensils** for dressing and eating their **Meat**, and shall give Notice of such his Desire to the **Commanding Officer**, and shall furnish and allow the same accordingly ; then and in such Case the **Noncommissioned Officers** and **Soldiers** so quartered shall provide their own **Victuals** and **Small Beer** ; and the **Officer** to whom it belongs to receive, or that does actually receive the **Pay** and **Subsistence** of such **Noncommissioned Officers** and **Soldiers**, shall pay the several Sums to be payable out of the **Subsistence Money** for **Diet** and **Small Beer**, to the **Noncommissioned Officers** and **Soldiers** as aforesaid, and not to the **Innholder** or other Person on whom such **Noncommissioned Officers** and **Soldiers** are quartered ; any thing herein contained to the contrary notwithstanding.

Officers receiv-
ing the Pay to
settle the De-
mands of Inn-
keepers.

LXVIII. And that the **Quarters** both of **Officers** and **Soldiers** may hereafter be duly paid and satisfied, and His Majesty's Duties of **Excise** better answered ; Be it enacted, That from and after the **Twenty fourth Day of March** One thousand eight hundred and twenty seven, every **Officer** to whom it belongs to receive or that does actually receive the **Pay** or **Subsistence Money**, either for a whole **Regiment**, or particular **Troops** and
Com-

Companies, or otherwise, shall every Four Days, or before the Troop shall quit their Quarters, if they shall not remain so long as Four Days, settle the just Demands of all Persons keeping Inns or other Places where Officers or Soldiers are quartered by virtue of this Act, out of the Pay and Subsistence of such Officers and Soldiers, before any Part of the said Pay or Subsistence be distributed to either of them respectively; and if any Officer or Officers as aforesaid shall not satisfy, content, and pay the same, upon Complaint and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer), the Secretary at War is hereby required and authorized (upon Certificate of the Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Agent of the Troop or Company to pay and satisfy the said Sums, and to charge the same against such Officer or Officers.

Penalty on Officers not satisfying Accounts which shall be charged against them by the Agent.

LXIX. And be it further enacted, That in case any Troop or Company being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodgings of the Men and Stabling for the Horses, every such Officer shall before his Departure make up the Account with every Person with whom such Troop or Company may have been quartered, and sign a Certificate thereof, which Account and Certificate shall be transmitted to the Agent of the Regiment, that immediate Payment may be made, which he is hereby required to make accordingly, and to charge the same to the Account of such Officer.

If Quarters are not paid for before the Marching of the Troops, Certificate of the Amount to be transmitted to the Agent.

LXX. And be it further enacted, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall at any Time during the Continuance of this Act quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier, in any such Houses, against the Consent of the Owners, the Party offending, if any Officer of the Army, shall, upon being convicted thereof before a General Court-martial, be cashiered; and if a Constable, Tithingman, or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace; to be levied by Warrant of such Justice by Distress and Sale of such Offender's Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Soldiers Wives, &c. not to be quartered without Consent.

Penalty.

LXXI. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, or any Two Magistrates within their respective Jurisdictions, to grant or transfer any Licence for selling Ale by Retail, or Cider or Perry, to be drank or consumed in any House or Houses, or Premises where more Houses or Premises than One shall be held together by the same Person or Persons as a Canteen, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquor by Retail, to any Person or Persons applying for the same, who shall hold any Canteen under any Lease thereof, or any Agreement or other Authority from any Two of the principal Officers of the Board

Licences may be granted for keeping Cantens.

of

of Ordnance, or from any Two of the late Commissioners for the Affairs of Barracks, or from the Comptroller or other proper Officer of the Barrack Department, without regard to the Time of Year, or any Notices or Certificates specified or required in relation to the applying for or granting any such Licences, any Thing in any Act or Acts to the contrary notwithstanding; and it shall also be lawful for His Majesty's Commissioners of Excise in *England*, *Ireland*, and *Scotland* respectively, or any Person appointed or employed by the said Commissioners in *England* or *Ireland* respectively in that Behalf, or for any Collectors or Supervisors of Excise, within their respective Districts, and they are hereby required to grant Licences for selling Beer or Ale by Retail, or Cider or Perry, to be drank or consumed in the Houses or Premises occupied as a Canteen of the Person or Persons applying for such Licence, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquors by Retail, to any such Person or Persons who shall hold any such Canteen under any such Licence or Transfer of any such Licence of any Justice or Magistrate as aforesaid; and it shall also be lawful for any Person or Persons holding any such Canteen under any such Lease, Agreement, or Authority as aforesaid, and having such Licence as aforesaid, to keep such Canteen, and to utter and sell therein, and in the Premises thereto belonging, and not elsewhere, Victuals and all such exciseable Liquors as he and they shall be licensed and empowered to sell under the Authority and Permission of any such Excise Licence as aforesaid, without being subject to any Penalty or Forfeiture; any Thing in any Act or Acts to the contrary notwithstanding.

For ascertain-
ing the last
legal Settlement
of Soldiers hav-
ing Wives or
Children.

LXXII. And be it further enacted, That it shall and may be lawful for any Justice of the Peace or Magistrate for the County, Town, or Place where any Noncommissioned Officer or Soldier shall be quartered in any Part of the United Kingdom, in case such Noncommissioned Officer or Private Soldier have either Wife or Child or Children, to cause such Noncommissioned Officer or Soldier to be summoned before him, in the Town or Place where such Noncommissioned Officer or Soldier shall be quartered, in order to make Oath of the Place of his last legal Settlement, if such Noncommissioned Officer or Soldier shall belong to any Parish or Place in that Part of *Great Britain* called *England* (which Oath such Justice or Magistrate is hereby empowered to administer); and such Noncommissioned Officer or Private Soldier as aforesaid is hereby directed to obey such Summons, and to make Oath accordingly; and such Justice or Magistrate is hereby required to take the Examination of such Noncommissioned Officer or Soldier in Writing, and to give an attested Copy of the Examination so taken before him to the Person so examined, to be by him delivered to his Commanding Officer, in order to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence, as to such last legal Settlement, before any of His Majesty's Justices of the Peace, or at any General or Quarter Sessions of the Peace, although such Noncommissioned Officer or Soldier be dead or absent from the Kingdom; Provided always, that in case any Noncommissioned Officer or Private Soldier shall be again summoned

moned to make Oath as aforesaid, then on such Examination or such attested Copy thereof being produced by him, or by any other Person on his Behalf, such Noncommissioned Officer or Soldier shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

LXXIII. And be it further enacted, That for the better and more regular Provision of Carriages for His Majesty's Forces in their Marches, or for their Arms, Clothes, or Accoutrements, in *England, Ireland and Wales*, and the Town of *Berwick-upon-Tweed*, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, if in *England, Wales, or Berwick-upon-Tweed*, or by an Order from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or from the Officer commanding His Majesty's Forces in *Ireland*, or other Person duly authorized in that Behalf, shall, as often as such Order is brought and shewn unto One or more of such Justices by the Quartermaster, Adjutant, or other Officer or Non-commissioned Officer of the Regiment, Detachment, Troop, or Company so ordered to march, issue out his or their Warrant or Warrants to the Constables or Petty Constables of, or to any Constable or Constables acting or having Authority to act in the Division, Riding, City, Liberty, Hundred, and Precinct, from, through, near, or to which such Regiment, Detachment, Troop, or Company shall be ordered to march, for each of which Warrants the Fee of One Shilling only shall be paid; requiring them to make such Provision of Carriages and Horses, or Oxen, with able Men to drive the same, as is mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen; and specifying in such Warrants the Place or Places from and to which the said Carriages shall, by virtue of such Orders as aforesaid, be required to travel, also specifying the Number of Miles between the Places, for which Number of Miles only so specified Constables or Petty Constables are authorized to demand Payment, which shall not exceed the Day's March of the Troops, as prescribed in the Order produced to the Magistrates, unless in case of pressing Emergency or Necessity, and shall in no case whatever exceed Twenty-five Miles from the Place at which the March shall commence; and in case sufficient Carriages cannot be provided within any such Liberty, Division, or Precinct, then the Justice or Justices of the Peace of the next adjoining County, Riding, or Division shall, upon such Order as aforesaid being brought or shewn to One or more of them by any of the Officers aforesaid, issue his or their Warrant to the Constables or Petty Constables of such next County, Riding, Liberty, Division, or Precinct, as shall be most convenient for the Purposes aforesaid, according to their respective Jurisdictions, to make up such Deficiency; and the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or

For the providing Carriages for the Forces marching in *England and Ireland*.

Warrants to specify the Places to which the Carriages shall travel, and the Number of Miles, &c.

Carriages therein mentioned of the Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sums hereinafter mentioned respectively, for which respective Sums so received the said Constable or Petty Constable is hereby required to give a Receipt in Writing (which Receipt need not be stamped) to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Horses and Oxen and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving or causing to be driven any such Waggon, Wain, Cart, or other Carriage, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained, by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of such Waggon, Wain, Cart, or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act; any thing in any Act or Acts relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding; and if any Military Officer or Officers, for the Use of whose Regiment, Detachment, Troop, or Company the Carriage, was provided, shall force and constrain any Waggon, Wain, Cart, or Carriage to travel beyond the Distance specified in the Magistrate's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, or shall suffer any Soldier or Servant (except such as are sick), or any Woman, to ride in the Waggon, Wain, Cart, or Carriage as aforesaid; or shall force any Constable or Petty Constable, by threatening or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants, or Soldiers, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Secretary at War, who is hereby authorized and required to give Orders for the Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, and for deducting the same out of such Officer's Pay.

Penalty on
Officers forcing
Waggons to
travel more
than Magis-
trate's War-
rant specifies,
&c.

Rates to be
paid for Car-
riages in
England.

LXXIV. And be it further enacted, That the Sums to be paid into the Hands of such Constable or Petty Constable in *England*, *Wales*, and *Berwick-upon-Tweed*, shall be according to the following Rates; that is to say, the Sum of One Shilling for every Mile any Waggon with Four or more Horses shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel; and the Sum of Nine Pence for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses respectively, or carrying not less than Fifteen Hundred

Hundred Weight, shall travel; and the Sum of Sixpence for every Mile every Cart or other Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel; or any further Sum not exceeding Four Pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel; and not exceeding Three Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen Hundred Weight, shall travel; and not exceeding Two Pence for every Mile any Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel; such further Sum of Four Pence, Three Pence, or Two Pence respectively, or such Proportion of those Rates as may be deemed fair and reasonable, to be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, the said Justices having regard to the Price of Hay and Oats, and specifying in their Order the Average Price thereof at the nearest Market Town at the Time of fixing such additional Rates: Provided always, that in Cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like Manner to the Owners of the said Carriages as shall be deemed reasonable by the Magistrate who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided always, that every Order of the Justices assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in addition to the customary Rates of One Shilling, and Nine Pence, and Sixpence *per* Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any Case exceed Ten Days beyond the General Sessions of the Peace of such County or District next ensuing the Date of such Order; and a Copy of every such Order, signed by the Chairman or presiding Magistrate and One other Justice of the Peace or Magistrate at the Quarter Sessions at which the same shall be made, shall within Three Days after the making thereof, be transmitted to the Secretary at War; and no such Order shall be valid or effectual unless a Copy thereof be so signed and transmitted as aforesaid: Provided also, that in every Case of any further Sum being allowed as aforesaid for the Hire of any Carriage, the Justice of the Peace granting or signing the Warrant, shall insert, in his own Hand, the Amount of such further Sum for each Description of Carriage, as so authorized by the Justices at the Quarter Sessions as aforesaid, and the Date of the Order of the said Justices; and such Warrant shall be given to the Officer or Non-commissioned Officer commanding the Regiment, Corps, Company, Detachment, or Party requiring such Carriages, as his Voucher for the Payment of such further Sum; and no further Sum shall be demanded but such as shall be so inserted by the Justice in the Warrant.

‘ LXXV. And Whereas great Inconvenience often arises from
 ‘ there being no Justice of the Peace or Magistrate residing near
 ‘ to Places specified in Routes at which Soldiers are to halt, and
 ‘ be billeted and quartered on the March, to issue Warrants for
 ‘ the providing of Carriages;’ For Remedy whereof be it enacted,

For providing Carriages at Places at a Distance from the Residence of any Justice of the Peace.

That it shall be lawful for any Constable, Tithingman, or Headborough, duly authorized for that Purpose by Warrant under the Hand and Seal of any Justice or Justices of the Peace residing nearest to such Place or Places, to make and give Orders for the providing of Carriages for the Baggage of Soldiers on March, and to appoint Persons having Carriages within their respective Liberties or Jurisdictions to provide and furnish such Carriages, without having any special or particular Warrant for that Purpose; and all such Orders and Appointments shall be and be deemed to be as valid and effectual in all respects, and to all Intents and Purposes, as if the same had been made and given by the Justice or Justices of the Peace having such Authority: Provided always, that every such Justice of the Peace shall, at the Time of giving such Warrant and Authority, and thereafter once in each Year, or oftener if necessary, cause a List or Lists to be made out, of all Persons liable to furnish such Carriages, under such Warrant, and of the Number and Description of Carriages belonging respectively to the Persons so liable to be required to furnish Carriages for Baggage, or for Troops on the March; and such Lists shall, at all seasonable Hours, be open to the Inspection of all Persons whose Names shall be inserted therein; and all Orders and Appointments for such Carriages shall be made and taken from such Lists in regular Rotation, as far as the same can be done, so as that the providing such Carriages shall be equally distributed among the several Persons liable to furnish the same under the Provisions of this Act.

Rates of Carriage in Ireland.

‘ LXXVI. And Whereas, from various local Circumstances, the Rates of Carriage in *Ireland* cannot be regulated in the same Manner as the Rates in *England*;’ Be it therefore enacted, That the Sums to be paid in that Behalf in *Ireland* shall be as follows; (that is to say,) for every Hundred Weight which the Owner or Owners of any Wheel Carriage shall take as Loading on such Wheel Carriage, the Sum of One Halfpenny for every Mile or reputed Mile he or they shall therewith march, or according to such Rate as shall be fixed and ordered by the Justices of the Peace for any County or District, the said Justices having regard to the Price of Hay and Oats at the Time of fixing such additional Rates; and that the said Sums respectively shall be paid to such Owner or Owners respectively, or to their Carmen or Draymen respectively; and that every such payment shall, if required, be made in the Presence of a Justice of the Peace, Constable, or Petty Constable.

‘ LXXVII. And Whereas it may sometimes become necessary in Cases of Emergency to provide proper and speedy Means for the Carriage and Conveyance not only of the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage of and belonging to His Majesty’s Forces in their Marches, but also to the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to such Forces: And Whereas it is expedient that Provision should be made for enforcing prompt Obedience to such Orders as His Majesty or the Lord Lieutenant or other Chief Governor in *Ireland* may in such Cases think fit to issue in pursuance of the Powers by Law vested in him for the Advancement of the general Good and public Welfare of the Realm;’

‘ Realm;’ Be it therefore further enacted, That it shall be lawful for His Majesty, or such Lord Lieutenant or Chief Governor or Governors in *Ireland*, by his or their Order, distinctly stating that such Case of Emergency doth exist, signified by the Secretary at War, or, if in *Ireland*, by the Chief Secretary, or in his Absence by the Under Secretary for the Civil Department, or the First Clerk in the Military Department for the Time being, to any General or Field Officer commanding His Majesty’s Forces in any District or Place, or to the Agent for the Supply of Stores and Provisions at Home, or Person acting in that Capacity, to authorize such General or Field Officers or Agent as aforesaid, or Person aforesaid, by Writing under his Hand, reciting such Order of His said Majesty, or Lord Lieutenant or Chief Governor aforesaid, to require all Justices of the Peace within their several Counties, Ridings, Divisions, Cities, Liberties, and Precincts in *England, Ireland, Wales*, and the Town of *Berwick-upon-Tweed*, to issue his or their Warrant or Warrants for any of the Purposes hereinafter mentioned; and such Justice or Justices shall, when and as often as such Requisition in Writing as last mentioned shall be brought and shewn unto any One or more of such Justices, by the Quartermaster, Adjutant, or other Officer of the Regiment, Detachment, Troop, or Company so ordered to be conveyed, or by any Officer in the Commissariat Department, to issue out his or their Warrant or Warrants to the Constable or Petty Constables of the County, Division, Riding, City, Liberty, Hundred, and Precinct from, through, near, or to which such Regiment, Detachment, Troop, or Company shall be so ordered to be conveyed, requiring them to make such Provision, not only of Waggon, Wains, Carts, and Cars, kept by or belonging to any Person or Persons, and for any Use or Purpose whatsoever, but also of Saddle Horses, Coaches, Chaises, and other Four-wheeled Carriages usually let to Hire, or kept for that Purpose; and also of Boats, Barges, and other Vessels used for the Carriage of Coals, Stone, Lime, Manure, or of Goods, Wares, or Merchandizes, or any other Articles or Commodity whatsoever, upon any Canal or navigable River, with able Men and Horses to drive, navigate, and draw the same, as shall be mentioned in the said Warrant or Warrants, therein specifying the Place or Distance to which such Horses, Carriages, Boats, Barges, or other Vessels, and Men, shall go and be conveyed, and allowing such Constables sufficient Time to make such Provisions, that the neighbouring Parts may not always bear the Burthen; and in case such sufficient Carriages, Horses, Boats, Barges, or other Vessels, and Men, cannot be provided within any such County, Riding, Division, Hundred, City, Liberty, or Precinct, then the next Justice or Justices of the Peace of the next County, Riding, Division, City, Liberty, or Precinct shall, upon such Requisition in Writing as last aforesaid being brought or shewn to any One or more of them, by any of the Officers aforesaid, issue his or their Warrant or Warrants to the Constables or Petty Constables of such next County, Riding, City, Liberty, Division, Hundred, or Precinct, for the Purposes last aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant or Warrants from the Justice or Justices of the Peace, are to demand

In Cases of Emergency Justices may be required to issue Warrants for providing Saddle Horses and Four-wheeled Carriages let to hire, and also Vessels.

Officers demanding them to pay for their Hire such Sums as the

Justices shall direct.

Constable to give a Receipt without Stamp, and to order the Horses, &c. to be provided.

Horses to convey Arms, Clothes, Accoutrements, Baggage, Equipage, Officers, Soldiers, Women, Children, &c.

Penalty on Officers forcing Horses, &c. to travel beyond the Distance specified in Warrant without Licence.

the Carriages, Horses, Boats, Barges, or other Vessels therein mentioned, of the Constable or Petty Constable to whom the said Warrant or Warrants shall be directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person or Persons who shall provide such Carriages, Horses, Boats, Barges, or other Vessels, and Men, such reasonable Sum and Sums of Money as the said Justice or Justices shall in and by his or their said Warrant or Warrants order and direct, not exceeding the usual Rate and Hire of such and the like Carriages, Horses, Boats, Barges, or other Vessels, and Men, according to the Length of the Journey or Voyage in each particular Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls (which Duty or Tolls are hereby declared not to be demandable or payable in such and the like Cases for any such Carriages, Horses, Boats, Barges, and other Vessels, whilst employed in such Service, or returning therefrom); for which said respective Sum and Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing (but without any Stamp) to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having such Horses, Carriages, Boats, Barges, or other Vessels, and Men, within their respective Liberties as they shall think proper, to provide and furnish such Horses, Carriages, Boats, Barges, or other Vessels, and Men, according to the Warrant or Warrants aforesaid, who are hereby required to provide and furnish the same accordingly; and it shall and may be lawful in such Cases to and for all and every Military Officer and Officers, for the Use of whom, or of whose Regiment, Detachment, Troop, or Company, such Horses, Carriages, Boats, Barges, or other Vessels shall be provided, in such Cases to carry and convey, and permit to be carried and conveyed, on the same respectively, not only the Arms, Clothes, Accoutrements, Baggage, Tents, and other Equipage of such Regiment, Detachment, Troop, or Company, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same, any thing herein contained to the contrary thereof notwithstanding; but if any such Officer or Officers shall force and constrain any Horse, Carriage, Boat, Barge, or other Vessel, to travel or proceed beyond the Distance or Place to be allowed and specified in such Warrant or Warrants, without the special Licence or Order of One or more other such Justice or Justices of the Peace in that Behalf, and which Licence or Order One or more of such Justices is and are hereby authorized and required to give and make at his and their reasonable Discretion, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, Division, City, Liberty, or Precinct, who are to certify the same to the Secretary at War, who is hereby authorized and required to give Order for Payment of the aforesaid Sum of Five Pounds according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County, Riding, Division, City, Liberty, or Precinct, and for deducting the same out of such Officer's Pay.

LXXVIII. Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage, impressed by Authority of this Act, shall be liable or obliged by virtue of this Act to carry above Thirty Hundred Weight; any thing in this Act contained to the contrary notwithstanding.

No Waggon or Carriage to carry above Thirty Hundred Weight.

LXXIX. Provided also, and be it further enacted, That no Owner of any such Carriage in *Ireland* shall be compelled or obliged to take any Loading until the same shall be first duly weighed at the Expence of the Owner or Owners of such Carriage, if he or they shall think fit, and if the same can be done in a reasonable Time without Let or Hindrance of His Majesty's Service; and if any Officer requiring such Carriage shall force or compel the Owner to take any Loading until the same shall be first duly weighed, if the same can be done in a reasonable Time as aforesaid, or shall, contrary to the Will of the Owner of such Carriage, or his Servant, put or permit any Person whatsoever to put any greater Load upon any Carriage than is herein-after directed, either at the Time of Loading or on the March, every such Officer shall for every such Offence forfeit the Sum of Twenty Shillings to the Party injured, upon such Proof and in such Manner as is hereinbefore appointed.

Owners of Carriages in *Ireland* not obliged to take Loading till it is weighed.

LXXX. And be it further enacted, That no Car impressed by Authority of this Act in *Ireland* shall be liable or obliged to carry above Six Hundred Weight, and that no Dray so impressed shall be liable or obliged to carry more than Twelve Hundred Weight; and if the Owner shall consent to carry above Six Hundred Weight, or Twelve Hundred Weight respectively, on any Carriage, he shall be allowed and paid at the Rate aforesaid for every Hundred above the Weight of Six Hundred Pounds, or Twelve Hundred Pounds, put on his Carriage, according to the Nature and Description thereof; and the Owner or Owners of such Carriage or Carriages shall not be compelled or obliged to proceed with such Carriage or Carriages under the Sum of Three Pence for each Mile or reputed Mile for each Car, or Sixpence a Mile for each Day, at the least, in case he or they shall be required to carry a less Weight on such Carriage or Carriages than the Weights hereinbefore appointed for the same respectively.

Limiting the Weight which Carriages impressed in *Ireland* shall be obliged to carry.

LXXXI. And be it further enacted, That whenever any Troops or Companies of Soldiers shall receive Orders to march from *Dublin*, and that it shall be necessary to impress Carriages for that Purpose, Notice shall be given to the Lord Mayor of the City of *Dublin* at least Twenty four Hours before the March of such Troops or Companies of Soldiers out of the said City, or, in case of Emergency, as long before such March as the Nature of the Case shall permit, of the Number of Troops, Companies or Soldiers appointed to March; whereupon the Lord Mayor for the Time being shall summon a proportionable Number of Cars or Drays, or either of them, at his Discretion, out of the Licensed Cars, Drays, and other Cars and Drays, within the County of the said City, and so from time to time the said Cars and Drays are by Turns to be employed in carrying the Baggage of such Troops or Companies, at the Prices and under the Regulations hereinbefore mentioned; and it is hereby directed, that no Country Cars, Drays,

Notice to be given to the Lord Mayor of *Dublin*, before the March of Troops out of that City, to provide Carriages.

or other Carriages coming to any of the Markets in *Ireland*, shall be detained or employed against the Will of the Owners, in carrying the Baggage of the Army, on any Pretence whatsoever.

Penalty on
Constable, &c.
for Neglect.

LXXXII. And be it further enacted, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute such Warrant or Warrants of the Justices of the Peace as shall be directed unto them for providing Carriages, Horses, Boats, Barges, and other Vessels as aforesaid; or shall demand or receive, for the Use of the Owners furnishing such Waggon, Wains, Carts, Cars, or Carriages, more than the Rates hereinbefore allowed respectively; or if any Person or Persons appointed by such Constable or Petty Constable to provide or furnish any Carriage, Man, Horse, Boat, Barge, or other Vessel, shall refuse or neglect to provide the same; or if such Person or Persons, or any other Person or Persons whomsoever, shall wilfully do any Act or Thing whereby the Execution of any such Warrant shall be hindered or frustrated, every such Constable or other Person or Persons so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings, to the Use of the Poor of such Parish or Parishes adjoining to the Parish where such Offence shall be committed, as shall be fixed upon by the Justice or Justices by whom such Offence shall be inquired of, heard, and determined; and all and every such Offence and Offences shall and may be inquired of, heard, and finally determined by any One of His Majesty's Justices of the Peace dwelling in or near the Place where any such Offence shall be committed, who has hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owners.

One Third of
Rate to be paid
before Carriages
proceed on the
March.

LXXXIII. And be it further enacted, That the Officer commanding the Party for whose Use any such Carriage or Horse shall be impressed in *Ireland* is hereby required, before the Owner of any Carriage or Horse in *Ireland* shall be compelled to take any Loading, or be forced to proceed on the March with his Carriage, to pay or cause to be paid down in Hand to the Owner of such Carriage or Horse, or to his Servant, One Third Part of the full Sum to which the Owner of such Carriage or Horse would be entitled for the March in the said Warrant directed to be made, according to the Rate so fixed for the same as aforesaid; and every such Payment shall be made, if required, in the Presence of a Justice of the Peace, Constable, or Petty Constable.

Officers and
Soldiers, &c. on
Duty, and Car-
riages, &c.
employed in
His Majesty's

LXXXIV. And Whereas, in consequence of certain Exemptions from Toll expressly allowed by several Acts for His Majesty's Forces on their March or on Duty, and for the Horses and Carriages attending them, Doubts have arisen whether in all Cases not so exempted, the Horses and Soldiers, and the Carriages and Horses belonging to His Majesty, or employed in His Majesty's Service, and returning therefrom, may not be charged with the Payment of Tolls; Therefore, for obviating such Doubts, it is hereby enacted and declared, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental Uniform, and their Horses, on Duty or on their March, and all Carriages and Horses belonging to His Majesty, or employed in

in His Service, and returning therefrom, or employed in His Service, when conveying the Officers, Soldiers, Servants, Women, Children or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage of or belonging to His Majesty's Forces on their Marches, or any Ordnance, or Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning therefrom were and are and shall be exempted from Payment of any Duties and Tolls otherwise demandable by virtue of any Act already made, or hereafter to be made, for Persons, Horses, or Carriages, or any Baggage of any Troops embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, unless by such Act it has been or shall be expressly provided that the said Officers, Soldiers, Carriages, and Horses are and shall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken: Provided always, that nothing herein contained shall exempt from the Payment of Tolls any Boats, Barges, or other Vessels employed in conveying the Officers, Soldiers, Servants, Women, Children, or other Persons of or belonging to His Majesty's Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage of or belonging to His Majesty's Forces, or any Military Stores, along any Canal; but the same shall be liable to Toll in like Manner as other Boats, Barges, and Vessels are liable thereto.

Service, ex-
empted from
Payment of
Tolls;

unless where it
is provided
that they are
liable with
others.

LXXXV. And Whereas the respective Sums of Money by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, Horses, Boats, Barges, or Vessels, may not in many Cases be sufficient to answer the Charge and Expence of providing the same, insomuch that the said Constables may frequently be at great Charges over and above what is received by them of the said Officers, to the great Burthen of the Townships of which they are Constables, or else the Persons providing such Carriages are grievously oppressed; For Remedy whereof, and that the said Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding, be it further enacted, That the Treasurer or Treasurers of such respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money so by him paid or laid out for such Carriages, Horses, Boats, Barges, and other Vessels, over and above what was or ought to have been paid by the Officer requiring such Carriages, Horses, Boats, Barges, and other Vessels, out of the public Stock of such County or Riding, according to such Rates, Orders, Rules, and Directions as the Justices of the Peace in their Quarter Sessions assembled, within their respective Jurisdictions, shall from time to time during the Continuance of this Act make, direct and appoint (which Orders shall be made without Fee or Reward); regard being always had to the Season of the Year, and the Length and Condition of the Ways by and through which such Carriages, Horses, Boats, Barges, and other Vessels are to travel and pass.

Treasurer of the
County to repay
the Constables
extraordinary
Charges.

LXXXVI. And

The Money for that Purpose how to be raised.

Officers, &c. to be quartered in Scotland as the Laws in force at the Union direct.

No Officer, &c. to be quartered upon any Foreign Consul.

Carriages in Scotland how to be provided.

How the Troops are to pay in passing over Ferries in Scotland.

LXXXVI. And in case the public Stock of the County or Riding be not sufficient, over and above the other Purposes for which it was raised, to satisfy the extraordinary Charge of Carriages, Horses, Boats, Barges, and other Vessels before mentioned, it is hereby further enacted, That the said Justices of the Peace in the General Quarter Sessions shall have Power from time to time to raise Monies upon the respective Counties or Ridings, in such Manner as they now raise Monies for County Gaols and Bridges, to satisfy such extraordinary Charges of Carriages, Horses, Boats, Barges, and other Vessels.

LXXXVII. And be it further enacted, That it shall and may be lawful to quarter Officers and Soldiers in *Scotland* in such and the like Places and Houses as they might have been quartered in by the Laws in force in *Scotland* at the Time of its Union with *England*; and that the Possessors of such Houses shall only be liable to furnish the said Officers and Soldiers quartered there as by the said Laws in force at the Time of the said Union was provided; and that no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

LXXXVIII. Provided always, and be it further enacted, That it shall not be lawful to quarter or billet, in any Part of the United Kingdom, any Officer or Soldier upon or in the House or Residence of any Foreign Consul duly accredited as such; any thing in this Act, or in any Act or Acts, or Law or Custom, to the contrary notwithstanding.

LXXXIX. And be it further enacted, That the Carriages for the Service of the Forces from time to time quartered or marching in *Scotland* shall be provided in like Manner and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in force in *Scotland* at the Time of its Union with *England*: Provided always, that a Cart with One or more Horses, for which the Furnisher shall demand and receive the Sum of Nine Pence *per* Mile, shall be required to carry Fifteen Hundred Weight at the least.

XC. And be it further enacted, That where any Troop or Parties upon Command have occasion in their March to pass regular Ferries in that Part of *Great Britain* called *Scotland*, it shall and may be lawful for the Commanding Officer either to pass over with his Party as Passengers, or to hire the Ferry Boat entirely to himself and his Party, debarring others for that Time in his Option; and in case he shall choose to take Passage for himself and Party as Passengers, he shall only pay, for himself and for each Person, Officer, or Soldier under his Command, Half of the ordinary Rate payable by single Persons at any such Ferry; and in case he shall hire the Ferry Boat for himself and Party, he shall pay Half of the ordinary Rate for such Boat or Boats; and in such Places where there are no regular Ferries, but that all Passengers hire Boats at the Rate they can agree for, Officers with or without Parties are to agree for Boats at the Rate as other Persons do in the like Cases.

XCI. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it further enacted, That if, from and after the said
Twenty

Twenty fourth Day of *March* One thousand eight hundred and twenty seven, any Officer shall, without Leave first had and obtained in Writing from the Person or Persons entitled to grant such Leave, take, kill or destroy any Hare, Pheasant, Partridge, or any other Sort of Game, or any Fish, within the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby authorized to hear and determine the same, every Officer so offending shall for every such Offence forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed.

Penalty on Officers destroying Game or Fish.

XCII. And be it further enacted, That every Person who shall receive Enlisting Money from any Officer employed on the Recruiting Service, or from any Noncommissioned Officer or Private Soldier belonging to the Recruiting Party under the Command of such Officer, or from any Person employed on the Recruiting Service, he, being an attested Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's Service, and shall, while he shall remain with the Recruiting Party, be entitled to be billeted and quartered as a Soldier in His Majesty's Service: Provided always, that every such Person so enlisted shall be entitled to all the Benefits herein enacted for the Relief of Persons hastily enlisting themselves.

Persons receiving Enlisting Money deemed to be enlisted.

XCIII. And Whereas it is highly expedient that no Doubt should remain as to Service of Soldiers, by reason of any Omission of His Majesty's Heirs and Successors in any Oath of Attestation; Be it therefore declared and enacted, That any Oath and Attestation of Service heretofore or hereafter taken and made to His Majesty is and shall be deemed and construed to be an Oath of Service to His Majesty's Heirs and Successors, as the Sovereign of the Realm for the Time being, as fully and effectually to all Intents and Purposes whatsoever as if the Words Heirs and Successors had been inserted in any such Oath or Attestation.

Oath and Attestation of Service to His Majesty to be taken to His Heirs and Successors.

XCIV. Provided always, and it is hereby enacted and declared, That from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty seven, when and as often as any Person or Persons shall be enlisted as a Soldier or Soldiers in His Majesty's Land Service, he or they shall within Four Days, but not sooner than Twenty four Hours, after such enlisting respectively, be carried or go with some Officer, Noncommissioned Officer, or Private Soldier belonging to the Recruiting Party by which he shall be enlisted, or with the Person employed on the Recruiting Service with whom he shall have enlisted, before some Justice of the Peace of any County, Riding, City, or Place, or Chief Magistrate of any City or Town Corporate, residing or being next to or in the Vicinity of the Place, and acting for the Division or District where such Person or Persons shall have been enlisted, and not being an Officer in the Army, and before such Justice or Chief Magistrate, he or they shall be at liberty to declare his or their Dissent to such enlisting; and upon such Declaration, and returning the Enlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, together with such full

Clause for Relief of Persons hastily enlisting themselves.

Rate

Such Persons not paying the Enlisting and Subsistence Money within the limited Time to be deemed to be enlisted; in which Case, or if they enlist, the Justices to read over to them certain Sections of the Articles of War, and administer certain Oaths.

Recruits enlisted under 39 G.S. c.109. for the East India Company's Service, &c. shall take the Oath of Allegiance.

Recruits enlisted under 50 G.S. c.87. shall take the Oaths in Schedules (G) and (H).

Rate allowed by Law for the Subsistence or Diet and Small Beer furnished to such Recruit subsequent to the Period of his having been enlisted, such Person or Persons so enlisting shall be forthwith discharged and set at Liberty in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours after so declaring his or their Dissent, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be enlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily enlisted himself or themselves, then such Justice or Chief Magistrate shall and he is hereby required forthwith to read over, or in his own Presence to cause to be read over, to such Person or Persons the Third and Fourth Articles of the Second Section, and the First Article of the Sixth Section of the Articles of War, against Mutiny and Desertion, and to tender and administer to such Person or Persons respectively, not only the Oath of Fidelity mentioned in the said Articles of War, but also the Oath mentioned in the Schedule to this Act annexed marked (A), or if the Person shall be desirous of enlisting without any Limitation of Period of Service, the Oath in the Schedule to this Act annexed marked (B); and if such Person or Persons shall take the said Oaths, then such Justice or Chief Magistrate shall and he is hereby required forthwith to certify under his Hand the Enlisting and Swearing, together with the Place of Birth, Age and Calling, if known, of such Person or Persons, in the Form mentioned in the Schedule to this Act annexed marked (C) if the Oath in the Form marked (A) shall have been taken, and in the Form marked (D) if the Oath in the Form marked (B) shall have been taken; except in the Case of Recruits enlisting to serve either in His Majesty's Troops or in the Forces of the *East India Company*, according as His Majesty shall think fit, in pursuance of an Act passed in the Thirty ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for better recruiting the Forces of the East India Company*, in which Case every such Recruit shall, instead of the said Oath of Fidelity, and of the Oath contained in the Schedule (A) or (B) to this Act annexed, take the Oath of Allegiance directed by the said Act of the Thirty ninth Year of His said late Majesty, and contained in the Schedule to this Act annexed marked (E); and the Justice or Chief Magistrate shall certify such Enlistment and Swearing accordingly in the Form mentioned in the Schedule to this Act annexed marked (F); and except also in the Case of Recruits enlisted for the Special Purpose of serving in the *East Indies*, in the Forces of the *East India Company* only, in pursuance of an Act passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act to amend Two Acts relating to the raising Men for the Service of the East India Company, and the quartering and billeting such Men, and to Trials by Regimental Courts-martial*, in which Case every such Recruit shall, instead of the said Oath of Fidelity, take the Oath directed to be taken by the said Act of the Fiftieth Year of His said late Majesty, and contained in the Schedule to this Act annexed marked (G), and instead of the Oath of Service contained in the Schedule (A) or (B) to

(B) to this Act annexed, shall take the Oath directed to be taken by the said recited Act of the Fiftieth Year aforesaid, and contained in the Schedule to this Act annexed marked (H), and the Justice or Magistrate shall certify such Enlistment and Swearing accordingly, in the Form mentioned in the Schedule to this Act annexed marked (I); and if any such Person or Persons so to be certified shall wilfully refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he received such Money as aforesaid, to detain and confine such Person or Persons, until he or they shall take the said Oath of Fidelity; and every Military Officer that shall act contrary hereto, or offend herein, shall incur the like Penalty and Forfeiture as is by this Act inflicted upon any Officer for making a false and untrue Muster; and the Penalty and Forfeiture shall be levied and recovered in the same Manner as any Penalties or Forfeitures are by this Act to be levied or recovered: Provided always, that every Noncommissioned Officer or Private Soldier, who shall enlist any Recruit, shall at the Time of such enlisting inquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Noncommissioned Officer commanding the Recruiting Party, to be so taken down; provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Noncommissioned Officer, or Private Soldier belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Magistrate, upon the Examination of such Recruit or of any other Person, that the Recruiting Party has left the Place where such Recruit was enlisted, or that such Recruit could not procure any Noncommissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid when demanded to any Person belonging to the Recruiting Party entitled thereto demanding the same: Provided always, that in every Case wherein any Person shall have received Enlisting Money, and shall have absconded or have absented himself from the Party as aforesaid, so that it shall not be possible immediately to apprehend him and bring him before a Magistrate, the Officer or Noncommissioned Officer commanding the Party shall produce to the Magistrate, before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person; and the Magistrate to whom the Certificate shall be produced shall, after satisfying himself that the Person who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary at War, or, if in *Ireland*, to the Chief Secretary or Under Secretary for the Civil Department, or First Clerk in the Military Department, in order that, in the Event of such Person being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money and having absconded

Name and Residence of Recruits to be taken down.

Justices may discharge Persons hastily enlisting themselves, on paying the Enlisting Money.

Magistrates to transmit to the Secretary at War Duplicates of Certificates of the Name and Residence of Persons receiving Enlisting Money and absconding.

scended may be ascertained before he be finally adjudged to be a Deserter as having been duly enlisted.

Persons receiving Enlisting Money and absconding, &c. deemed duly enlisted.

XCV. And be it further enacted, That if any Person or Persons shall receive the Enlisting Money from any such Officer, Noncommissioned Officer, Private Soldier, or other Person employed on the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice or Chief Magistrate; or if any Person having received any such Enlisting Money as aforesaid shall thereafter absent himself from the Recruiting Party with which he enlisted, or Person with whom he enlisted, and shall not voluntarily return to such Recruiting Party or Person enlisting him, to go before some Justice of the Peace or Magistrate, under the Provisions of this Act, within such Period of Four Days aforesaid; such Person shall be deemed to be enlisted, and a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; nor shall any such Person, who shall not have remained with or shall not have returned to such Recruiting Party or Person enlisting him as aforesaid, be entitled to be discharged, or be discharged by any Justice of the Peace or Magistrate after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice of the Peace, that the true Name and Residence of the Person enlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person enlisted, or left at his last usual Place of Abode, of his having so enlisted.

Recruits discharged previous to March 25, 1827, before the Expiration of 24 Hours after Enlistment, not to be proceeded against.

XCVI. And Whereas many Justices and Chief Magistrates have erroneously discharged Recruits before the Expiration of Twenty four Hours after the Time of their Enlistment: And Whereas such Recruits are in consequence liable to be treated as Deserters through such Error of the Justice or Chief Magistrate, and without any evil Intention on their own Part; Be it therefore enacted, That no such Recruit who shall have been so erroneously discharged by a Justice or Chief Magistrate previous to the Twenty fifth Day of March One thousand eight hundred and twenty seven, shall be liable on that Account to be proceeded against as having absconded or deserted from His Majesty's Service.

Persons concealing Infirmities on enlisting may be transferred to Garrison, Veteran, or Invalid Battalions, or to the Marines.

XCVII. And be it further enacted, That any Person who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service, by reason of any Infirmity which shall have been concealed by such Person, or not declared before the Justice of the Peace at the Time of his Attestation, and mentioned at the Foot thereof, may be transferred into any Garrison or Veteran or Invalid Battalion, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as shall be allowed by His Majesty by any Regulation made in that Behalf, in lieu and instead of the Bounty upon which such Man shall have been enlisted; any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding.

XCVIII. And

XCVIII. And be it further enacted, That any Person who shall knowingly, wilfully and designedly make any false Representation of any Particular contained in the Oaths respectively marked (A) and (B) and Certificates marked (C) and (D) in the Schedule to this Act respectively contained and annexed, before the Justice of the Peace or Magistrate at the Time of his Attestation, for the Purposes of obtaining, and shall obtain any Enlisting Money or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretence, within the true Intent and Meaning of an Act passed in the Thirtieth Year of the Reign of His Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses by Journey-men, Labourers, Servants, and Apprentices*; and the Production of such Certificate, and Proof of the Handwriting of the Justice of the Peace giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witness or Witnesses that the Person so prosecuted hath freely and voluntarily declared or acknowledged that at the Time of his Enlistment he belonged to the Militia or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him declared or acknowledged, without Production of any Roll or other Document to prove the same.

XCIX. And be it further enacted, That if any Officer, Serjeant, Soldier, or other Person shall at any Time wilfully and knowingly enlist any Man to serve in His Majesty's Regular Forces, or in the Forces of the *East India* Company, who at the Time of such enlisting shall be enrolled or engaged to serve in the Militia, every such enlisting shall be deemed null and void; and every Officer, Serjeant, Soldier, or other Person to whom any Person shall offer himself to enlist in His Majesty's Regular Forces, or in the Forces of the *East India* Company, shall ask such Person whether he does or does not belong to the Militia; and every Justice of the Peace or Magistrate before whom any Person shall be taken for the Purpose of being attested under the Provisions of this Act, shall, before he shall attest or swear the Recruit, read or cause to be read to him the Notice contained in the Schedule to this Act annexed marked (DD), and shall examine him, as to whether he does or does not belong to the Militia, and shall require the Recruit to sign a Declaration in the Form in the said Schedule; and in case any Militia Man, at the Time of offering to enlist as aforesaid, shall deny to the Officer, Serjeant, or other Person recruiting for Men to enlist and serve in His Majesty's Regular Forces, or in the Forces of the *East India* Company, that he is, at the Time of his offering so to enlist, a Militia Man then actually enrolled and engaged to serve, or in case any Militia Man shall deny to the Justice of the Peace or Magistrate by or before whom he shall be taken to be sworn and attested, that

Persons making false Representations for the Purpose of obtaining Bounty, guilty of obtaining Money under false Pretences.

30 G. 2. c. 24.

Enlistment of a Militia Man into the Regulars, or Forces of the *East India* Company, void.

Persons offering to enlist to be asked whether they belong to the Militia.

Before Recruits are attested, Justice shall read the Notice contained in Schedule (DD), &c.

Penalty on
Militia Man
denying that he
belongs to the
Militia.

Such Militia
Man to serve in
the Regular
Forces in the
United King-
dom during the
Time the Mi-
litia is disem-
bodied.

Punishing Per-
sons enlisting
for wilfully
concealing any
Infirmity.

For reckoning
the Service of
Soldiers from
the Quarter
Day antecedent
to the Date of
their Enlist-
ment.

that he belongs to the Militia, every Militia Man so offending shall on Conviction thereof before any One Justice of the Peace of the County where the Offence was committed, or elsewhere in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before mentioned Declaration of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Months, over and above any Penalty or Punishment to which such Person so offending is or shall be otherwise liable; and every Person so offending shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of His Majesty's Regular Forces, or of the *East India Company's Forces*, into which he shall have so enlisted: Provided always, that every such Person shall be liable to serve within the United Kingdom of *Great Britain and Ireland*, in the Regiment, Battalion, or Corps of His Majesty's Regular Forces, or of the *East India Company's Forces*, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

C. Provided always, and be it further enacted, That it shall be lawful for any Two Justices of the Peace or Magistrates, before whom any Person shall be brought who has enlisted, and who shall be proved upon Oath before them and convicted of having wilfully concealed any such Infirmity upon being attested, or having knowingly, wilfully, and designedly made any such false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and such Person shall thereupon be subject to such Punishment as by and under any Statutes or Laws now in force may be inflicted upon Rogues, Vagabonds, and Vagrants, and incorrigible Rogues, to be adjudged by the Justices of the Peace or Magistrates so convicting any such Person as aforesaid.

CI. And be it further enacted, That the Service of every Soldier, whether he shall have been or shall be enlisted for limited Service or for Life, shall, as to the reckoning Years of Service, for the Purpose of estimating any Increase of Pay, or any Pension, by reason of any Length of Service, under any Act or Acts, or under any Regulations made by His Majesty in relation to any such Increase of Pay or Pension, be deemed and construed to commence and be reckoned from the Quarter Days, that is to say, from the Twenty fifth Day of *March*, the Twenty fifth Day of *June*, the Twenty fifth Day of *September*, and the Twenty fifth Day of *December* respectively, immediately antecedent to the Day of enlisting, and not from the Day of Attestation; any thing in any Act or Acts, or Law or Regulation, to the contrary notwithstanding: Provided always, that no Soldier shall be entitled to

to receive any Pay for any Period preceding the Day of his actual enlisting.

' CII. And Whereas various Persons are in the Habit of advertising for Recruits for Regiments of the Line, the Embodied Militia, or for the Service of the Honourable *East India Company*, and also under the Pretence of procuring Substitutes for the same, to the great Detriment of the Service; Be it therefore further enacted, That all Persons whomsoever who shall after the passing of this Act advertise, post, or disperse, or cause to be advertised, posted, or dispersed, Bills for the Purpose of procuring Recruits or Substitutes, or shall open or keep any Houses or Place of Rendezvous, purporting in any Manner whatever to be connected with the Recruiting Service or Department, for the Line, Embodied Militia, or *East India Company*, or shall interfere or be concerned directly or indirectly in any Manner or Way therewith, (except such Recruiting Parties as may be stationed under the Command and Direction of the respective Field Officers of Districts, without the express Permission in Writing of the Adjutant General, if for the Line or Embodied Militia, or of the Court of Directors, if for the Honourable *East India Company's Service*;) or shall receive any Person or Persons as aforesaid at his House or Office under any such Bill or Advertisement on any Pretence whatever, shall forfeit the Sum of Twenty Pounds for every such Offence; to be recovered on Conviction before a Magistrate, One Moiety to the Informer, and the other to the Poor of the Parish where such Information shall be laid; and on Default of Payment thereof shall be committed to the Common Gaol or other public Prison, at the Discretion of the Magistrate, for any Period not exceeding Three Months, and not less than One Month, for each and every such Offence.

Penalty on Persons advertising for Recruits without Authority.

CIII. And be it further enacted, That if any Person duly bound as an Apprentice shall enlist as a Soldier in His Majesty's Land Service, and shall state to the Justice of the Peace or Magistrate before whom he shall be carried that he is not an Apprentice, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to be imprisoned in any Gaol or House of Correction, and kept to Hard Labour for Two Years, may be indicted and punished for obtaining Money under false Pretences under the Provisions of the said recited Act of the Thirtieth Year of the Reign of His late Majesty King *George the Second*, and shall after the Expiration of his Apprenticeship, whether such Person shall have been so convicted and punished or not, be liable to serve as a Soldier in any Regiment of His Majesty's Regular Forces; and if on the Expiration of his Apprenticeship he shall not deliver himself to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Forces.

Penalty on Apprentices enlisting themselves.

CIV. And be it further enacted, That no Master in *England* shall be entitled to claim any Apprentice who shall after the passing of this Act enlist as a Soldier in His Majesty's Land Service, unless such Apprentice shall have been bound to him in *England* for the full Term of Seven Years, not having been above the Age of Fourteen when so bound; and if in *Ireland*, or in

In *England* Masters not entitled to claim Apprentices unless bound for a certain Period, and the Master shall

take the Oath herein mentioned.

the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound; and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded or left his Service, go before some Justice of the Peace or Magistrate, and before such Justice of the Peace or Magistrate take the Oath mentioned in the Schedule to this Act annexed, marked (K), and produce the Certificate of such Justice of the Peace or Magistrate of his having taken such Oath; which Certificate such Justice of the Peace or Magistrate is hereby required to give in the Form in the Schedule to this Act annexed, marked (L).

How Masters in Scotland shall proceed to recover Apprentices.

CV. And be it further enacted, That no Master in *Scotland* shall be entitled to claim any Apprentice who shall after the passing of this Act enlist as a Soldier in His Majesty's Land Service, unless such Apprentice shall have been bound to him for the full Term of at least Four Years by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture so duly executed shall within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; and unless such Apprentice shall, when claimed by such Master, be under Twenty one Years of Age; and unless such Master shall within One Calendar Month after such Apprentice shall have absconded or left his Service, go before some Justice of the Peace, and before such Justice of the Peace take the Oath mentioned in the Schedule to this Act annexed, marked (K), and produce the Certificate of such Justice of the Peace of his having taken such Oath, which Certificate such Justice of the Peace is hereby required to give in the Form of the Schedule to this Act annexed, marked (L): Provided always, That any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover any such Apprentice in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven Years in *England*, or Four Years in *Scotland*.

Masters in Scotland not precluded from claiming Apprentices, if the Indenture be produced to a Justice within Three Months.

CVI. Provided always, and be it further enacted, That no Master in *Scotland* shall be precluded from claiming any Apprentice who shall hereafter enlist, by reason of the Contract or Indenture not having been produced to a Justice of the Peace in the Manner directed by the Act of the Fifty ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters* within the Time therein limited, provided the same shall be produced to any Justice of the Peace of the County wherein the Parties reside, and be indorsed

dorsed as therein directed, at any Time within Three Months after the passing of this Act.

CVII. And be it further enacted, That any Master of any Apprentice who shall have enlisted as a soldier in His Majesty's Land Forces shall, upon his consenting to give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice as a Soldier, be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas, which shall be preserved in order to provide the said Recruit with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Masters of enlisted Apprentices consenting, entitled to receive a Part of the Bounty.

CVIII. And be it further enacted, That no Apprentice who shall be claimed by his Master shall be taken from the Regiment, Troop, or Recruiting Party with which he shall be, but under a Warrant granted by some Justice of the Peace or Magistrate of the County, Stewartry, Riding, Division, City, Liberty, or Place, and residing near to the Place where such Apprentice shall happen to be when so claimed; and it shall be lawful for such Justice of the Peace or Magistrate, and such Justice of the Peace or Magistrate is hereby required, on Proof on Oath of Notice having been given to the Officer commanding the Regiment, or Troop, or Company, or the Recruiting Party with which such Apprentice shall then be, or some Noncommissioned Officer of such Recruiting Party, of such Warrant, and that a Copy thereof has been left with such Officer or Noncommissioned Officer, and of such Person being an Apprentice, and having enlisted and declared that he was no Apprentice, and on Production and Proof of the Indenture of Apprenticeship, to commit such Person so offending as aforesaid, if required so to do by such Officer or Noncommissioned Officer as aforesaid, to the Common Gaol of the County, Stewartry, Riding, Division, City, Liberty, or Place where such Person shall be at the Time when he shall be so claimed by his said Master, there to remain until he shall be discharged by due Course of Law, or, if not so required, to deliver such Apprentice to his Master.

Apprentices claimed by their Masters shall be carried before a Justice, and committed.

CIX. And be it further enacted, That it shall be lawful for the Justice of the Peace or Magistrate so residing near to the Place where the Apprentice shall be claimed as aforesaid, except in *Scotland* as hereinafter mentioned, before whom such Person so offending shall be so taken as aforesaid, to examine into the Matters alleged against such Person upon Oath, and which Oath the said Magistrate is hereby empowered to administer; and also to keep in his Custody the Indenture of Apprenticeship, to be produced as Occasion shall require; and to bind over the Master claiming such Person, and any other Persons he may think proper, to give Evidence at the General or Quarter Sessions of the Peace, or Session of Oyer and Terminer, at which the Trial of such Person is hereinafter directed to be had, against such Person so offending; and the Production of such Indenture of Apprenticeship, with the Certificate of the Justice of the Peace or Magistrate, that the same was proved before him, shall be sufficient Evidence of such Indenture of Apprenticeship.

Justices to examine upon Oath, and to keep the Indenture, to be produced on the Trial.

Offenders shall
be tried at the
Quarter
Sessions;

CX. And be it further enacted, That every such Offender, except in *Scotland*, as hereinafter mentioned, may and shall be tried at the General or Quarter Sessions of the Peace, or Sessions of Oyer and Terminer for the County, Riding, Division, City, Liberty, or Place wherein the Offence charged shall have been committed, next after such Offender's being brought before such Justice of the Peace or Magistrate as aforesaid, or the Sessions immediately succeeding such next Sessions, unless the Court shall think fit to put off the Trial on just Cause.

and in *Scotland*
by the Judge
Ordinary.

CXI. And be it enacted, That every such Offender in *Scotland* shall and may be tried by the Judge Ordinary in such County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment.

Gaoler to give
previous Notice
to the Secretary
at War, &c.
of the Expiration
of the
Imprisonment
of Soldiers in
his Custody.

CXII. And be it further enacted, That every Gaoler to whom any Notice shall have been given that any Person in his Custody for any Offence is a Soldier liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice, or if there shall not be sufficient Time to give One Month's Notice, then a reasonable Notice, to the Secretary at War, or if in Ireland to the Chief Secretary, or in his Absence to the Under Secretary for the Civil Department, or the First Clerk in the Military Department, before the Day on which the Imprisonment of such Person will expire, according to his Commitment or Sentence, of the Period of Expiration of such Imprisonment.

No Person,
except an App-
rentice, liable
to be taken out
of the Service
for Breach of
Contract.

CXIII. And be it further enacted, That no Person whatever, except an Apprentice, who has enlisted or shall enlist himself into His Majesty's Service as a Soldier as aforesaid, shall be liable to be arrested or taken out of His Majesty's Service by reason of the Warrant of any Magistrate or Magistrates, on account of any Breach of Contract or Engagement to serve or work for any Master or Employer whatsoever.

Servants in
certain Cases
shall be entitled
to Wages up to
the Time of
enlisting.

CXIV. Provided always, and be it further enacted, That if any Person who shall have been hired to serve any Master for a Year or otherwise shall, before the Expiration of his Term of Service under such Hiring, enlist into His Majesty's Service, such Person shall be entitled to such Proportion of Wages as the Magistrate shall think proper from his Master, for the Time he has actually served under such Hiring, notwithstanding he shall have failed, in consequence of such Enlisting, in completing the full Term of Service agreed for under such Hiring; and the Magistrate shall give an Order and take such other Steps as shall be necessary to enforce the Payment of such Proportion within Four Days after the Amount shall have been declared by such Magistrate.

Officers not
liable to have
Parish Poor
apprenticed to
them.

CXV. And be it further enacted, That no Officer of His Majesty's Forces, residing in Barracks or elsewhere under Military Law, shall be deemed liable to have any Parish Poor Child bound Apprentice to him; but that every such Officer shall be wholly exempt from taking or receiving, or from having bound to him, any such Child as an Apprentice; any Law, Statute, or Usage to the contrary notwithstanding.

Where any
Corps beyond
Seas shall be

CXVI. And be it further enacted, That when and as often as any Regiment or Company shall be relieved at any Station
or

or Place beyond the Seas, in order to return to *Great Britain* or *Ireland*, it shall and may be lawful for any Officer or Officers thereunto authorized by the Officer commanding in Chief at such Station or Place respectively, to enlist as many of the Soldiers belonging to such Regiment or Company, returning to *Great Britain* or *Ireland*, as shall be willing, and who shall appear to be fit for Service, and to incorporate them into any Regiment or Company which shall be appointed to remain; and every Soldier so enlisted shall be and is hereby deemed to be discharged from the Regiment or Company in which he before served; and the Occasion of his quitting such former Corps shall be recited in the enlisting Certificate, a Duplicate or an attested Copy whereof shall be delivered to such Soldier, to protect him from being anyways molested upon Suspicion of his having deserted.

relieved, in order to return Home, such of the Men as shall choose may be enlisted, &c.

‘CXVII. And Whereas it is expedient that Provisions should be made for the enlisting and attesting of Soldiers desirous of re-enlisting, and others desirous of enlisting abroad;’ Be it therefore enacted, That it shall be lawful for any Person duly authorized and appointed by His Majesty, by any Warrant signed by the Secretary at War in that Behalf, and not being a General Officer nor holding any Regimental Commission, to enlist and attest out of *Great Britain* or *Ireland* any Soldiers desirous of enlisting or re-enlisting into His Majesty’s Service, and to administer such Oaths as are directed and required to be administered in that Behalf by Justices of the Peace in the United Kingdom in relation to the enlisting or re-enlisting of Soldiers; and any Person so authorized and appointed shall have all such Powers and Authorities in that Behalf as are given to any Justices of the Peace in the United Kingdom in relation to the enlisting or re-enlisting of Soldiers, and shall for all such Purposes as aforesaid be deemed and taken to be Justices of the Peace; any Person so enlisted or re-enlisted shall be deemed and taken to be so enlisted or re-enlisted under the Provision of any Act in force in relation to enlisting of Soldiers, and to the Punishment of Mutiny and Desertion, in like Manner in every respect, and as fully and effectually to all Intents and Purposes, as if such Oath had been administered, and such Attestation had been made, and enlisting or re-enlisting taken place, before a Justice of the Peace in the United Kingdom.

Persons authorized by His Majesty may enlist or re-enlist Soldiers abroad.

CXVIII. And be it further enacted, That every Soldier entitled to his Discharge under any Orders or Regulations made by His Majesty, or upon the Expiration of any Period for which he shall have engaged to serve, shall, if then serving abroad, be sent to *Great Britain* or *Ireland* free of Expence, and on his Return shall be entitled to and have and receive Marching Money from the Place of his being landed to the Parish or Place in which he shall have been originally enlisted, at the Rate *per Diem* fixed for victualling Soldiers on the March in *Great Britain* and *Ireland* respectively, reckoning Ten Miles for each Day’s March; and every Soldier so entitled to his Discharge, who shall be discharged at any Place in the United Kingdom other than that in which he shall have been attested, shall be entitled to the like

Soldiers entitled to Discharge to be sent home free of Expence, and have Conduct and Marching Money Home.

Marching Money, from the Place of his Discharge to the Place of his Attestation as aforesaid.

Justices may
commit De-
serters.

✓
‘CXIX. And Whereas several Soldiers, being duly enlisted, do afterwards desert, and are found wandering, or otherwise absenting themselves illegally from His Majesty’s Service;’ It is hereby further enacted, That it shall and may be lawful for the Constable, Headborough, or Tithingman of the Town or Place where any Person who may be reasonably suspected to be such a Deserter shall be found, or if no such Constable, Headborough, or Tithingman can be immediately met with, then for any Officer or Soldier in His Majesty’s Service to apprehend, or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear to be found that such suspected Person is a listed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice of the Peace shall, without Fee or Reward to himself or Clerk, forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found, or the House of Correction or other Public Prison in such Town or Place where such Deserter shall be apprehended; or to the Provost Marshal in case such Deserter shall be apprehended within the City or Liberties of *Dublin* or Places adjacent; and transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act marked (N) to the Secretary at War for the Time being in *London*; or if the Deserter be apprehended in *Ireland*, to the Chief Secretary to the Chief Governor or Governors thereof; to the End that such Person may be removed by an Order from the Office of the said Secretary at War or Chief Governor or Governors, and proceeded against according to Law; and the Keeper of every Gaol, House of Correction, or Prison, in which such Deserter shall at any Time be confined, shall receive such Subsistence for the Maintenance of such Deserter during the Time that he shall continue in his Custody, as by His Majesty’s Regulations is or shall from Time to Time be directed in that Behalf; and the Keeper of every Gaol, House of Correction, or other Public Prison of the City, Town, or Place, at or in which the Party or Person conveying such Deserter shall halt on the March, shall and he is hereby required to receive and confine every such Deserter who shall be delivered into his Charge and Custody by any Noncommissioned Officer or Soldier who shall be conveying such Deserter under any lawful Order, Warrant, or Authority, while on the Road from the Place where he was apprehended to the Place to which he is to be conveyed, without any other Warrant or Authority for so doing than the Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or of the Chief Governor or Governors of *Ireland*, and shall be entitled to One Shilling for the safe Custody of the said Deserter while the Party or Person conveying him shall halt on the March;

March; any Law, Usage, or Custom to the contrary notwithstanding.

CXX. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserters from His Majesty's Service, be it further enacted, That in case of every Deserter apprehended in *Great Britain* or *Ireland*, the Secretary at War, upon receiving from the Justice of the Peace, or other Civil Magistrate by whom the Deserter shall have been committed, a Report stating the Name or Names of the Person or Persons by whom the Deserter was apprehended and secured, which Report such Magistrate is hereby required to give, shall transmit to such Magistrate an Order upon some Regimental or District Paymaster or Paymasters of a Depôt, for the Payment of the Sum of Twenty Shillings to the Person or Persons so reported by the Magistrate: Provided always, that this Reward shall only be given in Cases in which the Secretary at War shall be satisfied that such Person or Persons is or are justly entitled to the same, according to the true Intent and Meaning of this Act; provided also, that no Fee or Reward shall be taken by any Justice of the Peace or his Clerk, for or in respect of any Information, Examination, Commitment, or any such Report as aforesaid in relation to any Deserter.

Reward for taking up Deserters.

CXXI. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from any Regiment or Corps of His Majesty's Regular Forces, or of the Embodied Militia, or of the Forces of the United Company of Merchants of *England* trading to the *East Indies*, or who, upon being apprehended for Desertion or any other Offence, shall in the Presence of the Magistrates confess himself to be a Deserter from any such Regiment or Corps, shall be deemed to have been duly enlisted and to be a Soldier, and shall be liable to serve in any such Regiment or Battalion or Corps of His Majesty's Forces as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not, and if the Person so confessing himself to be a Deserter shall be serving at the Time in any Regiment, Battalion, or Corps of His Majesty's Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Any Person confessing himself a Deserter to be deemed duly enlisted.

CXXII. And be it further enacted, That if any Person or Persons shall, in any Part of His Majesty's Dominions, directly or indirectly persuade or procure any Soldier or Soldiers in the Service of His Majesty, His Heirs or Successors, to desert or leave such Service as aforesaid, every such Person or Persons so offending as aforesaid, and being thereof lawfully convicted, shall suffer such Punishment by Fine or Imprisonment, or both as the Court before which the Conviction may take Place shall adjudge.

Persons persuading Soldiers to desert, to be punished by Fine or Imprisonment, or both.

CXXIII. Provided always, and be it enacted, That if any Person shall harbour, conceal, or assist any Deserter from His Majesty's Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Twenty Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said Penalty of Twenty Pounds shall be levied

Penalty on Persons concealing Deserters.

by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; One Moiety of the said Penalty to be paid to the Informer, and the other Moiety to be paid to the Agent of the Regiment or Corps to which any such Deserter did belong, and shall be credited by such Agent in his public Accounts, and a Report of the Penalty being adjudged shall be made to the Secretary at War by the Justices of the Peace by whom the same shall have been imposed; and in case any such Offender, who shall be convicted as aforesaid of harbouring, concealing, or assisting any such Deserter, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty awarded against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months.

Penalty on
Officer break-
ing open any
House without
Warrant.

CXXIV. Provided always, and be it enacted, That no Commissioned Officer shall break open any House to search for Deserters without Warrant from a Justice of the Peace; and that every Commissioned Officer who shall without Warrant from One or more of His Majesty's Justices of the Peace (which Warrant the said Justice or Justices is or are hereby empowered to grant) forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall upon due Proof thereof forfeit the Sum of Twenty Pounds.

Penalty on
Persons receiv-
ing any Arms,
Clothes, &c. of
Soldiers or De-
serters, &c.

CXXV. Provided also, and be it enacted, That if any Persons shall knowingly detain, buy, or exchange, or otherwise receive from any Soldier or Deserter, or any other Person, upon any Account or Pretence whatsoever, any Arms, Ammunition, Clothes, Caps, or other Furniture, belonging to the King, or any Meat, Drink, Beer, or other Provisions, or any Sheets or other Articles used in Barracks, provided under any Regulations relating thereto, or any such Articles belonging to any Soldier or Deserter as are generally deemed Regimental Necessaries, according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or cause the Colour of any such Clothes to be changed, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds; or if any Person shall buy or receive any Oats, Hay, Straw, or other Forage provided for the Use of any Horse or Horses belonging to His Majesty's Service, from any Dragoon or other Soldier, knowing him to be such, or shall move, procure, counsel, solicit, or entice any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw, or other Forage as aforesaid, the Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction, by the Oath of One or more credible Witness or Witnesses before any of His Majesty's Justices of the Peace, the said respective Penalties of Five Pounds, and Five Pounds, shall be levied by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender, One

and on Persons
buying Oats,
Hay, or Forage
provided for
His Majesty's
Service.

One Moiety of the said first mentioned Penalty of Five Pounds to be paid to the Informer, and One Moiety of the said last mentioned Penalty of Five Pounds to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Agent of the Regiment or Corps to which any such Deserter or Soldier did belong, who shall report the same to the Secretary at War, and credit the same in his public Accounts; and a Report of the said respective Penalties being adjudged shall be made to the Secretary at War by the Justices of the Peace by whom the same shall have been imposed; and in case any such Offender who shall be convicted as aforesaid of having knowingly received any Arms, Ammunition, Clothes, Caps, or other Furniture belonging to the King, or any such Meat, Drink, Beer, or other Provisions, or Sheets or other Articles used in Barracks, or any such Articles generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, or of having bought or received any Oats, Hay, Straw, or other Forage provided for the Use of any Horse or Horses belonging to His Majesty's Service, from any Dragoon or other Soldier, knowing him to be such, or of having moved, procured, counselled, solicited, or enticed any Dragoon or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Oats, Hay, Straw, or other Forage as aforesaid, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalties recovered against him or her for such Offence, or shall not pay such Penalties upon such Conviction, or give sufficient Security for Payment thereof within the Space of Four Days from such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publicly or privately whipped, at the Discretion of such Justice.

' CXXVI. And Whereas Soldiers absent from their Regiments on Furlough granted to them by their Commanding Officers are sometimes prevented by Sickness or other unavoidable Casualty from returning to their Duty before the Expiration of the Time limited by such Furlough, and Doubts have arisen whether in such Cases the Extension of a Soldier's Furlough by a Justice of the Peace be sanctioned by legal Authority, and effectual for preventing such Soldier from being apprehended upon Suspicion of his having deserted his Regiment; Be it further enacted, That any Inspecting Field Officer stationed on the Recruiting Service, or any Officer of the Rank of Captain, or of superior Rank, or any Adjutant of the Regular Militia stationed within the District, or in case there be no such Officer as aforesaid within a convenient Distance, any Justice of the Peace may and is hereby authorized to grant, in Writing under his Hand, an Extension of Furlough to any Noncommissioned Officer or Soldier applying for the same on account of Sickness or other Casualty, which shall on due Inquiry appear to render such Extension necessary; and that every such Officer or Justice of the Peace, who shall grant to any Noncommissioned Officer or Soldier an Extension

Certain Officers and Justices may grant an Extension of Furlough to any Noncommissioned Officer or Soldier applying for the same on account of Sickness, &c.

Extension of Furlough as aforesaid, shall immediately certify the same, with the Cause of its being so granted, to the Officer commanding the Corps, Depôt, or Detachment to which the Man belongs, if known, if not, then to the Agent of the Regiment, in order that the Proportion of Pay to which the Man shall be entitled, may be remitted to him according to the Rules established in that respect.

Noncommissioned Officer or Soldier, whose Furlough shall have been extended, shall not be liable to be apprehended as a Deserter, &c.

CXXVII. And be it further enacted, That such Noncommissioned Officer or Soldier, during the Period to which his Furlough shall have been so extended as aforesaid, shall not be liable to be apprehended or otherwise molested on the Ground of his having deserted the Regiment to which he shall appear by his Furlough to belong, or of criminally absenting himself from the same: Provided always, that nothing in this Act contained shall be construed to exempt any Noncommissioned Officer or Soldier, whose Furlough shall have been so extended as aforesaid, from being proceeded against and punished according to the Provisions of this Act, should it thereafter appear that such Noncommissioned Officer or Soldier had obtained the Extension of his Furlough by false Representation made to such Officer or Justice of the Peace as aforesaid, or in applying for and obtaining the same had committed any Offence to the Prejudice of good Order and Military Discipline; provided also, that no such Furlough shall be extended by any such Officer or Justice of the Peace as aforesaid for any longer Period than One Month, unless with the Approbation of the General or other Officer commanding in the District where such Soldier shall be, or of the Officer commanding the Corps, Depôt, or Detachment to which the Noncommissioned Officer or Soldier shall belong.

Subsistence of Men on Furlough.

CXXVIII. Provided always, and be it further enacted, That from and after the passing of this Act the Subsistence of Men on Furlough shall be issued according to the Rates which have been or shall be prescribed by His Majesty's Regulations.

No Volunteer liable to Process unless for some criminal Matter,

CXXIX. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Soldiers, whereby His Majesty and the Public may be deprived of their Services, it is hereby further enacted, That no Person who is or shall be listed, or who shall list and enter himself as a Volunteer in His Majesty's Service as a Soldier, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless, before taking out such Process or Execution (not being for a criminal Matter), the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavit in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be sued out, amounts to the Value of Twenty Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same

or for a real Debt of the Value of 20l.

Oath of the Debt to be made before a Judge;

same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee shall be taken: and if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for One or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hand and Seal or Hands and Seals to discharge such Soldier so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them that such Soldier so arrested was legally enlisted as a Soldier in His Majesty's Service, and arrested contrary to the Intent of this Act; and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable; for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

and a Memorandum thereof marked on the Back of the Process.

CXXX. And to the End that honest Creditors, who aim only at the Recovery of their just Debts due to them from Persons entering into and listing in His Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an Arrest, which may at once hurt the Service, and occasion great Expence and Delay to themselves, may be enabled to proceed in a more easy and cheap Method; be it further enacted, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such listing, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to entitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so listed as aforesaid; this Act, or any thing herein, or any former Law or Statute, to the contrary notwithstanding.

Plaintiff may file a common Appearance.

CXXXI. And be it further enacted, That from and after the passing of this Act no Soldier being arrested or confined for Debt in any Prison, Gaol, or other Place, shall be entitled to any Part of his Pay from the Day of such Arrest or Confinement until the Day of his Return to the Regiment, Troop, Company, or Detachment to which he shall belong, or shall be ordered to join.

Soldiers while confined for Debt not to receive Pay.

CXXXII. And be it further enacted, That every Soldier who shall be taken Prisoner by the Enemy shall forfeit all Right and Claim to Pay during the Period of his remaining a Prisoner, and until he shall again return to His Majesty's Service: Provided always, that upon the Return of every Soldier to His Majesty's Service, due Inquiry shall be made as to the Conduct of such Soldier in relation to his being made Prisoner, and during the Period of his so remaining a Prisoner, and before Return to Service, by some General or Regimental or Garrison or other Court-martial which shall be constituted under any Articles of War

Soldiers taken Prisoners to forfeit Pay; but shall be entitled on being adjudged by a Court-martial to have been fairly taken, and to have acted properly.

War made by His Majesty for the Purpose of investigating such Cases; and every Soldier who shall prove to the Satisfaction of the Court, by Oath of himself or others, or in such Manner as such Court shall require, and which Oath every such Court is hereby authorized to administer, that he was fairly and unavoidably taken Prisoner in the Course of Service, without any wilful Neglect of Duty on his Part, and that he hath not served with or under, or in any Manner aided or assisted the Enemy, and that he hath returned as soon as possible to His Majesty's Service, shall thereupon be entitled to receive either the Whole of any such Arrears of Pay, or a Proportion thereof, as shall be adjudged by any such Court: Provided also, that it shall be lawful for the Secretary at War for the Time being to order the Issue of such Arrears or of any Proportion thereof, or of any such Pay or of any Proportion thereof, as shall under all the Circumstances appear to be proper, notwithstanding any such Forfeiture, and before any such Investigation, and from time to time to stop the Continuance of any such Issue of Pay, as the Case and Conduct of any such Soldier, in relation to his being captured by the Enemy, and not returning to His Majesty's Service when enabled so to do, may require; and the Orders of the Secretary at War, for the Payment of any such Arrears of Pay, shall be a good and sufficient Discharge for such Payment.

Secretary at War may advance Pay, if necessary, before Investigation.

Commissaries, upon making up their Accounts, or returning from Foreign Service, to take an Oath.

CXXXIII. And be it further enacted, That all Commissaries, upon making up their Accounts, and also upon returning from any Foreign Service, shall take the Oath described in the Schedule to this Act annexed, marked (M); which Oath, if taken in any Part of the United Kingdom, shall be taken before some Justice of the Peace or Magistrate, and if taken on Foreign Service, before the Officer commanding in Chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General, or any Assistant Quartermaster General of the Army to which he shall be attached, who shall respectively have Power to administer the same.

Officers, Storekeepers, Commissaries, &c. embezzling Military Stores, &c. may be tried by a Court-martial.

CXXXIV. And be it further enacted, That every Paymaster, or other Commissioned Officer of His Majesty's Forces, or any Storekeeper or Commissary, or Deputy or Assistant Commissary, or other Person employed in the Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to His Majesty's Forces, or for their Use, who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court-martial; and it shall be lawful for such Court-martial to adjudge any such Paymaster or other Commissioned Officer, Storekeeper, or Commissary, or Deputy or Assistant Commissary, or other Person, to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, and Incapacity of serving His Majesty in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence;

Penalty on such Offenders.

Offence; and every such Officer or Person shall, in addition to any other Punishment, make good, at his own Expence, the Loss and Damage sustained which shall have been ascertained by such Court-martial; and the Loss and Damage so ascertained aforesaid may be recovered in any of His Majesty's Courts of Record at *Westminster*, or in any other Courts of Law having Jurisdiction where any Person adjudged by a Court-martial to have incurred any such Penalties, or to make good any such Losses or Damages, shall be resident after the said Judgment shall be confirmed and made known; and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as His Majesty shall direct and appoint.

Application of
the Forfeitures.

CXXXV. And be it further enacted, That every Noncommissioned Officer who shall be convicted at a General or Regimental Court-martial, of having embezzled or misapplied any Money with which he may have been entrusted for the Payment of the Men under his Command, or for enlisting Men into his Majesty's Service, shall be reduced to serve in the Ranks as a private Soldier, and be put under Stoppages until the Money be made good, and suffer such Corporal Punishment (not extending to Life or Limb) as the Court-martial shall think fit.

Noncommissioned Officers
embezzling
Soldiers' Pay,
&c. to be re-
duced, &c.

CXXXVI. And be it further enacted, That from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty seven, no Paymaster General or Paymaster of the Army, Paymaster of the Marines, Secretary at War, Commissary, Mustermaster, Paymaster of a Corps or District, or any other Officer whatsoever, or their Under Officers, shall receive any Fees or make any Deductions what soever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty seven, other than the usual Deductions allowed by His Majesty's Regulations, and such other necessary Deductions as shall from time to time be required to be made under any Act now in force or hereafter to be made, or directed by His Majesty under His Royal Sign Manual.

No Paymaster,
&c. to make
Deductions out
of Officers' or
Private Men's
Pay.

CXXXVII. And for the Encouragement of the due and well Clothing of the Troops, be it hereby further enacted, That the Lord High Treasurer or the Commissioners of the Treasury for the Time being may, if he or they see convenient, at the End of every Six Months, issue the Money due for the Clothing of the several Regiments, Troops, and Companies; and the Paymaster General for the Time being is hereby directed to notify the Receipt of the Money to the Secretary at War, who shall immediately grant his Warrant for the Payment of the proper Sum or Sums to such Person or Persons only as have a regular Assignment from the Colonel or Commandant, or Person authorized by him to make such Assignment.

Exceptions.

Money due for
Clothing may
be issued every
Six Months.

CXXXVIII. And be it further enacted, That if any Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company shall unlawfully detain or withhold, for the Space of One Month, the Pay of any Officer or Soldier (Clothes and all other just Allowances being deducted), after such Pay shall be by him or them received; or if any Officers, having received any Soldiers' Pay, shall refuse to pay each Noncommissioned Officer and Soldier their

Penalty on
Paymasters,
Agents, &c.
detaining Offi-
cers' or Sol-
diers' Pay.

their respective Pay when it shall become due, according to the several Rates established by His Majesty's Orders, then upon Proof thereof before a Court-martial as aforesaid, to be for that Purpose duly held and summoned, every such Paymaster, Agent, Clerk, or Officer so offending shall be discharged from his Employment, and shall forfeit to the Informer, upon Conviction before the said Court, One hundred Pounds, to be levied as aforesaid; and to † the Informer, if a Soldier (if he demands it), shall be and is hereby discharged from any further Service; any thing in this Act contained to the contrary notwithstanding: Provided always, that it shall and may be lawful for His Majesty's Secretary at War to give Orders for withholding the Pay of any Officer, Noncommissioned Officer or Soldier, for any Period during which such Officer, Noncommissioned Officer, or Soldier shall be absent without Leave.

† Sic.

Penalty on
Agents disobeying Orders.

CXXXIX. And for enforcing a prompt Observance of the Rules and Orders established or to be established for the due Appropriation of the Public Funds applicable to the Army Services, and that a true and regular Account may be kept and rendered by the Agents of the several Garrisons, Regiments, Battalions, Corps, and Independent Troops and Companies, be it further enacted, That the said Agents are hereby required and directed to observe such Orders and Directions as shall from time to time be given His Majesty under His Sign Manual, or by the Secretary at War for the Time being, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of the Treasury for the Time being; and if any Person being or having been Agent shall refuse or neglect to observe and comply with such Orders and Directions, in relation to his Duty as Agent, he shall for the First Offence forfeit the Sum of One hundred Pounds, to be recovered by Action of Debt or Information, for the Use of His Majesty; and if still an Agent, for the Second Offence be discharged from his Employment as Agent of the Garrison, Regiment, Battalion, Corps, Independent Troop, or Company, in relation to which he shall have been guilty of such Offence, and be utterly disabled to have or hold such Employment thereafter; or if he shall have ceased to be such Agent shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds, to be recovered as aforesaid.

CXL. And Whereas great Inconvenience has arisen to His Majesty's Service from Persons, not being authorized Agents of Regiments, Troops, or Companies, negotiating for the Purchase, Sale, and Exchange of Commissions in His Majesty's Forces, and much larger Sums than are allowed by His Majesty's Regulations are often given and received for Commissions, and great Frauds committed; Be it therefore enacted, That every Person, not being an authorized Agent to some Regiment, Troop, or Company of His Majesty's Forces, who shall negotiate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in His Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as Agent to some Regiment, Troop, or Company, who shall take, accept, or receive any Commission, Sum of Money, or Reward, for any Negotiation relative to the Purchase,

Penalty on Persons acting as Army Agents without Authority.

Purchase, Sale, or Exchange of any Commission in His Majesty's Forces, or who shall negotiate, bargain for, or receive for his own Use or for the Use of any other Person or Persons, any Sum of Money or other Consideration above the Amount of the Price allowed by His Majesty's Regulations for the Purchase, Sale, or Exchange of any such Commission, or any Sum of Money or other Consideration where no Price shall be allowed by His Majesty's Regulations, shall for every such Offence forfeit the Sum of One hundred Pounds, and Treble the Value of such Sum of Money or other Consideration as he shall negotiate, bargain for, or receive above the Amount of the Price allowed by His Majesty's Regulations for such Commissions, in such Cases where any Price shall be allowed by His Majesty's Regulations, or Treble the Value of the Sum or other Consideration negotiated, bargained for, or taken and received, in such Cases in which no Price shall be allowed by His Majesty's Regulations.

CXLI. Provided always, and be it enacted, That every Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company, who is or shall be liable to account with any of the Executors or Administrators of every Officer or Soldier, for any of the Pay of such Officer or Soldier by him or them received, shall, on reasonable Demand made by any such Executor or Administrator, deliver a just and true Account to such Executor or Administrator of such Sum or Sums of Money as he or they shall have so respectively received for such Officer or Soldier, and for which they ought so to account as aforesaid, such Executor or Administrator paying for the same, and shall account with such Executor or Administrator for the same; and that every such Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company offending herein, shall forfeit the like Penalties, and to be recovered in like Manner, as appointed by this Act for such Colonels or Agents not giving due Accounts of or for the Pay of the said Officers or Soldiers to and for such Officers and Soldiers themselves.

Paymasters,
&c. to account
with Executors.

CXLII. And Whereas it may otherwise be doubted whether
' the Officers and Persons serving in the Royal Artillery, and the
' Persons hired to be employed in the Trains of Artillery, or the
' Officers serving in the Corps of Royal Engineers, or the Persons
' hired to be employed in the Department of the said Engineers,
' of the Officers and Persons serving in the Corps of Royal Military
' Surveyors and Draftsmen, or the Corps of Royal Sappers and
' Miners, or the Master Gunners, and Gunners under the Ord-
' nance, be within the Intent and Meaning of this Act; It is
hereby enacted, That the Officers and Persons serving and hired to
be employed, or who shall serve and be hired to be employed in
the Royal Artillery, and in the several Trains of Artillery, and in
the Department of the Royal Engineers, and all Officers serving
or who shall serve in the Corps of Royal Engineers, and all
Officers and Persons serving or who shall serve in the Corps of
Royal Military Surveyors and Draftsmen, or in the Corps of
Royal Sappers and Miners, and all Master Gunners, and Gunners
who now are or shall be under the Ordnance, shall be at all Times
subject to all the Penalties and Punishments mentioned in this
Act,

Officers, &c.
of the Trains of
Artillery, &c.
subject to this
Act.

Act, and shall in all respects whatsoever be holden to be within the Intent and Meaning of every Part of this Act during the Continuance of the same, and shall be quartered and billeted, together with the Horses employed for the Service of the said Corps, in the same Manner and under the same Penalties and Regulations as are directed by this Act to be observed in quartering and billeting the Officers, Soldiers, and Horses of His Majesty's other Forces; and all Innkeepers and others on whom the Officers and Persons serving in the said Corps, and the Horses employed therein, shall be legally quartered, refusing to receive and provide for them as is directed for the Officers, Soldiers, and Horses in His Majesty's other Forces, shall be subject to the same Penalties as in the Case of His Majesty's other Forces.

Persons employed in the Commissariat, &c. liable to the Provisions of this Act while serving with the Forces.

‘ CXLIII. And Whereas Doubts have arisen whether Officers and Persons commissioned or employed in the Commissariat Department, or in the Office of Storekeeper to His Majesty's Regular Forces, be within the Intent and Meaning of this Act; Be it declared and enacted, That all Officers and Persons who are or shall be commissioned or employed in the Commissariat Department, or as Storekeeper, or under the Storekeeper General, who are or shall be serving with any Part of His Majesty's Forces at Home or Abroad, and are or shall be placed under the Command of any General or other Officer having Commission from His Majesty, shall be, to all Intents and Purposes, liable to the Provisions of this Act, and to the same Rules and Articles of War, and the same Penalties and Punishments, as in the Case of His Majesty's other Forces.

Storekeepers and other Civil Officers liable to the Provisions of this Act.

‘ CXLIV. And Whereas it is expedient that the Provisions of this Act should be extended to the Storekeepers and other Civil Officers acting under the Ordnance at Foreign Stations; Be it therefore enacted, That all Storekeepers and other Civil Officers, who are or shall be employed by or act under the Ordnance, at any of His Majesty's Ordnance Establishments at Foreign Stations, shall be to all Intents and Purposes liable to the Provisions of this Act, and to the same Rules and Articles of War, and the same Penalties and Punishments, as in the Case of the other Officers and Persons acting under the Ordnance hereinbefore made liable to this Act.

Securities entered into by such Storekeepers, &c. not to be affected.

CXLV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be any ways construed to extend, to affect or make void any Bond or other Security which has been or shall be given or entered into by such Storekeepers or other Officers and their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His late Majesty, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Troops raised or serving in His Majesty's Provinces, &c. acting in conjunction with His Majesty's

‘ CXLVI. And Whereas great Mischief and Inconvenience may arise if it should be doubted whether Troops in Pay, raised or serving in any of His Majesty's Provinces, Governments, Colonies or Dominions, or in Countries, Colonies, or Places in Possession of or occupied by His Majesty's Subjects, or any Forces of His Majesty, are, while under the Command of any Officer

‘ Officer having any Commission immediately from His Majesty, liable to the same Rules and Articles of War, and the same Penalties and Punishments, as His Majesty’s other Forces are subject to;’ To prevent such Mischief, and remove all Doubts, be it declared and enacted, That all Officers and Soldiers of any Troops being mustered and in Pay, which have been or are or shall be raised or serving as aforesaid, shall at all Times and in all Places be liable to Martial Law and Discipline, in like Manner to all Intents and Purposes as His Majesty’s other Forces are, and shall be subject to the same Trial, Penalties, and Punishments.

other Forces, liable to the same Martial Laws.

‘ CXLVII. And Whereas the Officers and Soldiers of the said Troops, being taken Prisoners, are frequently sent over to Great Britain or Ireland in a very distressed Condition: And Whereas their Pay is not sufficient to provide them with necessary Lodgings and Accommodations;’ Be it therefore enacted, That during the Continuance of this Act it shall be lawful for the Constables and other Civil Magistrates within England, Ireland, Wales, and Town of Berwick-upon-Tweed, to quarter and billet the Officers and Soldiers of such Troops in all such Houses as are liable by this Act to receive the Officers and Soldiers of His Majesty’s other Forces; and the said Constables and other Civil Magistrates are hereby required to quarter and billet the Officers and Soldiers of such Troops in the same Manner and under the same Regulations and Penalties as are directed by this Act to be observed in quartering and billeting the Officers and Soldiers of His Majesty’s other Forces; and all Persons on whom the Officers and Soldiers of the said Troops shall be legally quartered, refusing to receive and provide for them as is directed for the Officers and Soldiers of His Majesty’s other Forces, shall be subject to the same Penalties as in the Case of His Majesty’s other Forces.

Officers and Soldiers of such Troops sent over to Great Britain or Ireland, to be quartered and billeted as His Majesty’s other Forces.

CXLVIII. And be it further enacted, That from and after the passing of this Act all Negroes purchased by or on account of His Majesty, His Heirs and Successors, and serving in any of His Majesty’s Forces, shall be and be deemed and taken to be free, to all Intents and for all Purposes whatever, in like Manner in every respect as if such Negroes had been born free in any Part of His Majesty’s Dominions; and that such Negroes shall also to all Intents and Purposes whatever be considered as Soldiers having voluntarily enlisted in His Majesty’s Service.

Negroes purchased, and serving in the Forces, shall be deemed free.

CXLIX. Provided always, and be it further enacted, That nothing in this Act contained as to enlisting for any limited Periods of Service, or contained in any other Act as to any Rules or Regulations for the granting any Pensions or Allowances to any Soldiers discharged after certain Periods of Service, shall extend or be deemed or construed in any Manner to extend to any Negroes purchased by or on account of His Majesty, His Heirs and Successors, and serving in any of His Majesty’s Forces.

Certain Provisions of this Act not to extend to Negroes purchased by or on account of His Majesty.

CL. And be it further enacted, That this Act shall extend to all Serjeants and Noncommissioned Officers or Persons employed on the Recruiting Service, receiving any regular Pay in respect of such Service; and all such Serjeants and Noncommissioned Officers and Persons employed on the Recruiting Service, receiving any regular Pay in respect of such Service, shall be liable to Martial Law and Discipline, in like Manner to all

Persons employed on Recruiting Service, and receiving regular Pay, subject to Provisions of this Act.

This Act not to extend to the Militia, &c. further than is directed by the Laws relating thereto.

Exceptions.

Militia and Fencible Men, when in actual Service, to be regularly mustered, &c.

In what Cases this Act shall extend to Jersey, Guernsey, &c.

Persons taking a false Oath guilty of Perjury.

Persons sued, except in Scotland, may plead the General Issue.

Intents and Purposes as His Majesty's other Forces, and be subject to the same Trial, Penalties, and Punishments.

CLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be in anywise construed to extend to concern any of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, or in *Jersey*, *Guernsey*, *Alderney*, *Sark*, or *Man*, or the Islands thereto belonging, excepting only in such Case wherein by any Act or Acts for regulating any of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, the Provisions contained in this Act, or in any Act for punishing Mutiny and Desertion which shall be then in force, are extended and meant to take place in respect to the Officers and Soldiers of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* and *Ireland*; and also except so far as relates to the Mustering of the said Militia Forces, according to the Provisions hereinafter mentioned.

CLII. And for the better ascertaining the Number of effective Men of the Regiments of Militia when embodied and in actual Service; Be it further enacted, That from and after the passing of this Act, every Regiment or Corps of Militia and Fencible Men, when embodied and in actual Service, shall be regularly mustered by Commissaries appointed for that Purpose, in the same Manner and as often as the rest of the Army is usually mustered; and the Magistrates shall have the same Powers and Authorities, and both Officers and Men shall be subject to the same Regulations, Restrictions, and Penalties, as are imposed on the Officers and Soldiers of the rest of the Army by virtue of this Act.

CLIII. And be it further enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Clauses therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny or Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General, or Garrison, or Detachment, or Regimental Court-martial; and also to the Clauses which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, or any such Articles generally deemed Regimental Necessaries, from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed.

CLIV. And be it further enacted, That any Person taking a false Oath, in any Case wherein an Oath is required to be taken by this Act, shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

CLV. And be it further enacted (except in *Scotland*, as hereinafter provided), That if any Action, Bill, Complaint, or Suit shall be brought against any Person or Persons, for any Act, Matter, or Thing to be acted or done in pursuance of this Act, it shall and may be lawful to and for all and every Person and Persons sued

sued as aforesaid, to plead thereunto the General Issue, that he or they are Not Guilty, and to give such Special Matter in Evidence to the Jury which shall try the Issue, which Special Matter being pleaded had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespass or other Matter laid to his or their Charge; and if the Verdict shall pass with the said Defendant or Defendants in any such Action, the Plaintiff or Plaintiffs therein become nonsuit, or suffer any Discontinuance thereof, that in every such Case the Justice or Justices, or such other Judge before whom the said Matter shall be tried, shall by force and virtue of this Act allow unto the Defendant or Defendants his or their Treble Costs, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit; for which the said Defendant or Defendants shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to the Defendants.

Treble Costs.

CLVI. And be it further enacted, That every Bill, Plaint, Action, or Suit, against any Person or Persons for any Act, Matter, or Thing to be acted or done in pursuance of this Act, or against any Member or Minister of a Court-martial, in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever.

In what Courts Suits shall be brought.

CLVII. And be it further enacted, That if any Action shall be raised or Complaint shall be preferred against any Person or Persons in *Scotland*, for any Act, Matter, or Thing to be acted or done in pursuance of this Act, such Action shall be raised and Complaint preferred in the Court of Session; and if such Court shall see fit to assoilzie the Defendant, or dismiss the Complaint, the Defendant or Defendants shall have Treble Costs awarded to him or them by the said Court.

In Scotland Actions shall be preferred in the Court of Session.

CLVIII. Provided always, and be it further enacted, That no Action shall be brought, or Prosecution carried on, by virtue of this Act, for the Penalties aforesaid, unless the same be commenced within Six Months after the Offence is committed.

Limitation of Actions.

CLIX. And in order to prevent all Doubts that may arise in relation to punishing Crimes and Offences committed against former Acts made in *Great Britain* and *Ireland* respectively for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same; be it further enacted, That all Crimes and Offences which have been committed against any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue of the same, shall and may, during the Continuance of this Act, be inquired of, heard, tried, determined, adjudged, and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means, and Methods, as the like Crimes and Offences committed against this Act may be inquired of, heard, tried, determined, adjudged, and punished; and every Warrant for holding any Court-martial under any former Act shall remain

Offences against former Mutiny Acts punishable by this Act.

in full Force, notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same, but it shall be lawful to proceed to Judgment upon any such Trial, and to carry such Judgment into Execution, in like Manner as if the Proceedings had been commenced under the Authority of this Act.

Limiting the
Liability of
Trial, &c. for
Offences
against former
Acts.

CLX. Provided always, That no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period; in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Form of
Conviction.

CLXI. And for the more easy Conviction of Offenders against this Act, be it enacted, That in case any Persons shall be convicted of any Offences by which they shall become liable to any of the pecuniary Penalties under this Act, the following shall be the Form of Conviction:—

‘ County of } BE it remembered, That on the Day of
‘ } in the Year of our Lord at in
‘ the County aforesaid, *A. B.* came before me [*or us*] One [*or*
‘ Two] of His Majesty’s Justices of the Peace in and for the
‘ said County, and informed me [*or us*] upon Oath, that *G. H.* of
‘ on the Day of now last past at
‘ in the said County, did [*here set forth the Fact in the Manner*
‘ *described in the Statute*]; whereupon the said *G. H.*, after
‘ being duly summoned to answer the said Charge, appeared
‘ before me [*or us*] the said Justice [*or Justices*] on the
‘ Day of at in the said County, and
‘ having heard the Charge contained in the said Information,
‘ declared that he was not guilty of the said Offence; but the
‘ same being fully proved upon the Oath of *I. K.* a credible
‘ Witness, it manifestly appeared to me [*or us*] the said Justice
‘ [*or Justices*] that he the said *G. H.* is guilty of the said Offence
‘ charged upon him in the said Information: It is therefore con-
‘ sidered and adjudged by me [*or us*] the said Justice [*or*
‘ Justices] that he the said *G. H.* be convicted, and I [*or we*]
‘ do hereby convict him of the Offence aforesaid; and I [*or we*]
‘ do hereby declare and adjudge that the said *G. H.* hath for-
‘ feited the Sum of for the Offence aforesaid, to
‘ be distributed as the Law directs, according to the Statute in
‘ that Case made and provided.
‘ Given, *et cetera.*’

Continuance of
Act.

CLXII. And be it further enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty fourth Day of *March* One thousand eight hundred and twenty seven, until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and

and the Islands thereto belonging, from the First Day of *April* One thousand eight hundred and twenty seven, until the First Day of *April* One thousand eight hundred and twenty eight; and shall be and continue in force within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty fifth Day of *June* One thousand eight hundred and twenty seven, until the Twenty fifth Day of *June* One thousand eight hundred and twenty eight; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces may be serving, and in the *West Indies* and *America*, from the Twenty fifth Day of *July* One thousand eight hundred and twenty seven, to the Twenty fifth Day of *July* One thousand eight hundred and twenty eight; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* and *Bourbon*, and Islands thereto belonging, *Saint Helena*, and the Western Coast of *Africa*, from the Twenty fifth Day of *October* One thousand eight hundred and twenty seven, to the Twenty fifth Day of *October* One thousand eight hundred and twenty eight; and shall be and continue in force in all other Places from the Twenty fifth Day of *November* One thousand eight hundred and twenty eight, to the Twenty fifth Day of *November* One thousand eight hundred and twenty nine.

CLXIII. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be made in this Session of Parliament.

Act may be altered this Session.

SCHEDULE (A.)

Form of Oath.

I do make Oath, That I am or have been (as the Case may be) [state Occupation, if any, or state if none], and to the best of my Knowledge and Belief was born in [state County, Parish, Place, &c.], and that I am of the Age of Years; that I do not belong to the Militia, or to any other Regiment, or to His Majesty's Navy or Marines; and that I will serve His Majesty, His Heirs and Successors, for the Period of [This Blank to be filled up by the Magistrate with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisting is of the Age of Eighteen Years or upwards; but if under Eighteen Years of Age, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the Case may be] Years, provided His Majesty should for so long require my Service, and also for such further Term not exceeding Six Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of His Majesty: Provided always, that in the latter Case the said additional Period shall determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any Definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, or Twelve, as the Case may be] Years.

SCHEDULE (B.)

Form of Oath.

I do make Oath, That I am or have been (*as the Case may be*) [*state Occupation, if any, or state if none*], and to the best of my Knowledge and Belief was born in [*state County, Parish, Place, &c.*], and that I am of the Age of _____ Years; that I do not belong to the Militia, or any other Regiment, or to His Majesty's Navy or Marines; and that I will serve His Majesty, His Heirs, and Successors, until I shall be legally discharged.

SCHEDULE (C.)

Form of Justice's Certificate.

I One of His Majesty's Justices of the Peace of (or Chief Magistrate of _____) do hereby certify, That _____ appearing to be _____ Years old, _____ Feet _____ Inches high, _____ Complexion, _____ Eyes, _____ Hair, came before me at _____ on the _____ Day of _____ One thousand eight hundred and _____ and stated himself to be of the Age of _____ Years, and that he had no Rupture, and was not troubled with Fits, and was no ways disabled by Lameness, Deafness, or otherwise, but had the perfect Use of his Limbs and Hearing, and was not an Apprentice; and acknowledged that he had voluntarily enlisted himself for the Bounty of _____ to serve His Majesty King George the Fourth, His Heirs and Successors, in the _____ Regiment of _____ commanded by _____ and did engage to serve for the Period of _____ [This Blank to be filled up by the Magistrate with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisting is of the Age of Eighteen Years or upwards; but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the Case may be] Years, provided His Majesty should for so long require his Services, and also for such further Period as His Majesty shall please to direct, not to exceed in any Case Three Years, and to determine whenever Six Months shall have elapsed of continued Peace subsequent to the Expiration of the Term of [Seven, or Ten, or Twelve] Years: and I do hereby certify, That in my Presence the Third and Fourth Articles of the Second Section, the First Article of the Sixth Section, of the Articles of War against Mutiny and Desertion, and the Notice contained in the Schedule marked (D D) annexed to the Act for punishing Mutiny and Desertion, were read over to him, and that he took the Oath of Fidelity mentioned in the said Articles of War, and also the Oath above set forth, and that he received the Sum of _____ on being attested, and that I have given to the said _____ a Duplicate of this Certificate, signed with my Name.

SCHEDULE (D.)

Form of Justice's Certificate.

I One of His Majesty's Justices of the Peace of
 (or Chief Magistrate of) do hereby certify, That
 appearing to be Years old, Feet
 Inches high, Complexion, Eyes, Hair,
 came before me at on the Day of
 One thousand eight hundred and and stated himself
 to be of the Age of Years, and that he had no
 Rupture, and was not troubled with Fits, and was no ways dis-
 abled by Lameness, Deafness, or otherwise, but had the perfect
 Use of his Limbs and Hearing, and was not an Apprentice, and
 acknowledged that he had voluntarily enlisted himself for the
 Bounty of to serve His Majesty King *George* the Fourth,
 His Heirs and Successors, in the Regiment of
 commanded by until he should be legally discharged :
 And I do hereby certify, That in my Presence the Third and
 Fourth Articles of the Second Section, the First Article of the
 Sixth Section of the Articles of War against Mutiny and Deser-
 tion, and the Notice contained in the Schedule marked (DD)
 annexed to the Act for punishing Mutiny and Desertion, were
 read over to him, and that he took the Oath of Fidelity mentioned
 in the said Articles of War, and also the Oath to the Effect above
 set forth, and that he received the Sum of on being
 attested, and that I have given to the said a Duplicate
 of this Certificate, signed with my Name.

SCHEDULE (E.)

Oath of Allegiance, 39 Geo. 3. Cap. 109.

I being enlisted to serve either in His Majesty's
 Troops or in the Forces of the *East India* Company, according
 as His Majesty shall think fit, do swear, That I will bear true
 Allegiance to our Sovereign Lord King *George*, and that I will,
 as in my Duty bound, defend Him in His Person, Crown, and
 Dignity, against all His Enemies ; and that so long as I shall
 remain in His Majesty's Service I will duly observe and obey His
 Majesty's Orders, and the Orders of the Generals and Officers set
 over me by His Majesty ; and that if His Majesty shall please to
 appoint me to serve in the Forces of the United Company of
 Merchants of *England* trading to the *East Indies*, then I swear
 that I will also be true to the said United Company, and will duly
 observe and obey all their Orders, and the Orders of their
 Generals and Officers who shall be lawfully set over me.

SCHEDULE (F.)

To wit. } I the Peace of One of His Majesty's Justices of
 aged Years, certify, That
 Complexion, Eyes, Feet Inches high,
 on the Day of Hair, came before
 me at One thousand eight
 hundred and and acknowledged that he had voluntarily
 enlisted himself for the Bounty of to serve either in His
 Majesty's Army or in the Forces of the *East India* Company, ac-
 cording as His Majesty shall think fit to order: And I further
 certify, That in my Presence the Third and Fourth Articles of the
 Second Section, the First Article of the Sixth Section of the
 Articles of War against Mutiny and Desertion, and the Notice
 contained in the Schedule marked (D D) annexed to the Act for
 punishing Mutiny and Desertion, were read over to him; and
 that he took the Oath of Allegiance prescribed by the Act of
 the 39 Geo. III. c. 109. to be taken instead of the Oath of Fidelity
 mentioned in the said Articles of War, and also the Oath above
 set forth; and that he received the Sum of
 on being attested.

SCHEDULE (G.)

I being enlisted to serve in the [Infantry or Artillery,
as the Case may be,] of the *East India* Company, do swear,
 That I will bear true Allegiance to our Sovereign Lord King
George, and that I will, as in Duty bound, defend him in His
 Person, Crown, and Dignity, against all His Enemies; and I swear
 that I will also be true to the said United Company, and will duly
 observe and obey all their Orders, and the Orders of their Generals
 and Officers who shall be lawfully set over me.

SCHEDULE (H.)

I do make Oath, That I am (*or have been, as the Case
 may be*) [*state Occupation, if any, or state if none*], and to the
 best of my Knowledge and Belief was born in [*state County, Parish,
 or Place, &c.*], and that I am of the Age of Years, and
 that I do not belong to the Militia, or to any Regiment in His
 Majesty's Service, or to His Majesty's Navy or Marines; and that
 I will serve the United Company of Merchants of *England* trading
 to the *East Indies*, until I shall be duly and legally discharged
 [*or if the Recruit enlists for limited Service, then leave out the
 Words scored under, and insert*] for the Period of Twelve Years
 [*if the Person enlisting is of the Age of Eighteen Years or upwards,
 but if under Eighteen Years, then the Difference between his Age
 and Eighteen to be added to such Twelve Years, as the Case may
 be, and such Period to be inserted instead of Twelve Years*], pro-
 vided the said United Company should so long require my Service.

SCHEDULE (L.)

Form of Justice's Certificate.

To wit } I One of His Majesty's Justices of the
 Peace of certify, That of
 came before me at the Day
 of One thousand eight hundred and
 made Oath that he was by Trade a and that
 was bound to serve as an Apprentice to him in the said Trade, by
 Indenture, dated the Day of for the
 Term of Years; and that the said Apprentice did, on
 or about the Day of abscond and quit
 the service of the said without his Consent, and that to the
 best of his Knowledge and Belief the said Apprentice is aged
 about Years.

SCHEDULE (M.)

Form of Oath.

I do hereby make Oath, That I have not
 applied any Money or Stores, or Supplies under my Care or
 Distribution, to my own Use, or to the private Use of any other
 Person, by way of Loan to such Person or otherwise, or in any
 Manner applied them, or knowingly permitted them to be applied,
 to any other than public Purposes, and according to the Duty of
 my Office.

Sworn before me by the }
 within-named this }
 Day of . }

*Justice of the Peace for the
 County of
 or Commander in Chief, or
 Second in Command, et cetera,
 the Army serving in
 et cetera, [as the Case may be.]*

SCHE.

SCHEDULE (N.)

DESCRIPTION RETURN of
as a Deserter from the committed to Confinement at on the Day of
Battalion of the Regiment of

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he † a Deserter from the before mentioned Corps.

Signature and Address of Magistrate.

Signature of Prisoner.

Signature of Informer.

† Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

Signature of Surgeon.

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.

SCHEDULE (DD.)

NOTICE.

ANY Man who is enrolled in the Militia, and who, upon offering to enlist into the Army, denies that he belongs to the Militia, is liable upon Conviction before a Magistrate to be committed to Prison for Six Months, over and above any other Penalty or Punishment which he may thereby incur for obtaining Money on false Pretences.

DECLARATION OF THE RECRUIT.

I do hereby acknowledge, That the above Notice has been read over to me, and that I was strictly questioned by * whether I did or did not belong to the Militia, and that I answered that I did not. I also hereby declare, that I did not then and do not now belong to the Militia.

} Signature of
Recruit.

Signed in my Presence _____

Justice of the Peace.

* This Blank to be filled up by the Name of the Noncommissioned Officer or Man who actually enlisted the Recruit.

C A P. V.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [21st March 1827.]

WHEREAS it may be necessary for the Safety of the United Kingdom, and the Defence of the Possessions of the Crown of *Great Britain and Ireland*, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland*: And Whereas the said Royal Marine Forces may frequently be quartered or be on Shore, or sent to do Duty on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of His Majesty not being in Commission, or any Convict Hulk or Ship, where they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea; yet nevertheless it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of *March* One thousand eight hundred and twenty seven, if any Person being entered or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Noncommissioned Officer or Private Man in any Division of

After March 24, 1827, every Marine Officer, Noncommissioned Officer, and Private Man,

of Royal Marines in His Majesty's Service, and on the Twenty fourth Day of *March* One thousand eight hundred and twenty seven shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered and in Pay as a Marine Officer or Private Man in His Majesty's Service, and being in such Service, at any Time during the Continuance of this Act, on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty not being in Commission, or any Convict Hulk or Ship, shall begin, excite, cause, or join in any Mutiny or Sedition in the Company to which he doth or shall belong, or in any other Company, Troop, or Regiment, either of Marine or Land Forces, in His Majesty's Service, or shall not use his utmost Endeavours to suppress the same; or coming to the Knowledge of any such Mutiny or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer; or shall desert His Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop, or Regiment, or enter as a Seaman in His Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine, in which Case he shall be reputed a Deserter; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of His Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without His Majesty's Licence, or Licence of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland* for the Time being; or shall strike or use any Violence against his Superior Officer being in the Execution of his Office; or shall disobey any lawful Command of his Superior Officer; all and every Person and Persons so offending in any or either of the Matters before mentioned, on Shore in any Part of this Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty not being in Commission, or any Convict Hulk or Ship, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

II. And be it further enacted, That it shall and may from Time to Time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or Two or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, to grant a Commission, under his or their respective Hand or Hands, to any Officer of Royal Marines in His Majesty's Service, not under the Degree of a Field Officer, for the holding General Courts-martial at any Place or Places on Shore in this Kingdom, or in any other of His Majesty's Dominions; in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences hereinafter specified, shall be tried and proceeded against in such Manner as by this Act is directed.

III. And

who shall mutiny or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on or shall desert his Post, &c.

or shall strike or disobey his Superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

The Admiralty may grant a Commission for holding a General Court-martial, &c.

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial, by their Sentence or Judgment, to inflict Corporal Punishment, not extending to Life or Limb, on any¹ Marine, for Immorality, Misbehaviour, or Neglect of Duty, on Shore, in any Place or Places within this Kingdom, or in any other of His Majesty's Dominions, or in Transports, or Merchant Ships or Vessels, or any Ship or Vessel of His Majesty not being in Commission, or any Convict Hulk or Ship, during the Continuance of this Act.

Admiralty empowered to make Articles for Punishment of Mutiny and Desertion, &c.

IV. And be it further enacted, That it shall and may be lawful to and for the said Lord High Admiral, or Two or more of the Commissioners for executing the Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, which Articles shall be judicially taken notice of by all the Judges, and in all Courts whatsoever, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty, in any of His Majesty's Royal Marine Forces, while on Shore in any Part of this Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or in Transport or Merchant Ships or Vessels, or any Ship or Vessel of His Majesty not being in Commission, or any Convict Hulk or Ship, and for bringing Offenders against the same to Justice; and to erect and constitute Divisional or Detachment Courts-martial, with Power to try, hear, and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act; and all such Articles of War shall from time to time, as soon after the same shall have been established as the same can be done, be transmitted by the Secretary of the Admiralty for the Time being to the Judges of His Majesty's Courts at *Westminster* and *Dublin* and into *Scotland* respectively.

and to constitute Courts-martial.

Punishment.

V. Provided always, That no Person shall be adjudged to suffer any Punishment extending to Life or Limb by the said Rules or Articles, within this Kingdom, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

Oaths to be taken by Members of Divisional Courts-martial, &c.

VI. Provided also, and be it further enacted, That in all Trials by any Divisional or Detachment Courts-martial which shall be held by virtue of this Act, or of any Articles of War established in pursuance thereof, every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the Oaths hereinafter mentioned upon the Holy Evangelists (which Oaths shall and may be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the said Oath); that is to say,

Oaths.
' YOU shall well and truly try and determine according to your Evidence in the Matter now before you.

' So help you GOD.'

' I A. B. do swear, That I will truly administer Justice according to the Rules and Articles for the better Government of His Majesty's Royal Marine Forces when on Shore, and according to an Act of Parliament now in force for the Punishment of Mutiny

‘ Mutiny and Desertion, and of other Crimes therein mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise (which is not explained by the said Articles or Act of Parliament), according to my Conscience, and the best of my Understanding, and the Custom of War. So help me GOD.’

And the President of every such Court-martial (not being under the Rank of Captain) shall be appointed by the Commanding Officer of the Division or Detachment directing such Court-martial; and every such Divisional or Detachment Court-martial is hereby authorized and directed to administer an Oath to every Witness that shall appear before them.

VII. And be it further enacted and declared, That in case of any Noncommissioned Officer or Marine tried and convicted of Desertion, whensoever the Court-martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment, adjudge the Offender, according to the Nature of the Offence, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years; and if such Noncommissioned Officer or Marine, having been adjudged to be transported as a Felon, shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported,) return into or be found at large without Leave as aforesaid, or other lawful Cause, within any Part of the United Kingdom of *Great Britain and Ireland*, or in any of the Islands adjacent to or dependent on the same, or in any of His Majesty's Possessions other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, every such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

Deserters may be transported for Life, &c.

VIII. Provided always, and be it enacted, That in all Cases wherein a Capital Punishment shall have been awarded by a Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Felon for Life, or for a certain Term of Years, as to His Majesty shall seem meet; and if the Person so transported in pursuance of such Order from His Majesty shall afterwards (without Leave from His Majesty, or from the Governor or Commanding Officer of the Place to which he shall have been transported,) return into any Part of *Great Britain or Ireland*, or into any of the Islands adjacent to or dependent on the same, or into any of His Majesty's Possessions other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death.

His Majesty, where a Capital Punishment is awarded, may order Offenders to be transported.

IX. Provided also, and be it further enacted, That if any Noncommissioned Officer or Marine so convicted of Desertion shall appear to have enlisted for a limited Term of Years, it shall be lawful for such Court to sentence any such Noncommissioned Officer or Marine so enlisted to serve for Life as a Soldier, or for any Number of Years beyond the Period for which such Non-commissioned

Court may sentence Deserters to serve for Life, &c.

commissioned Officer or Marine shall have enlisted, or generally in any Regiment or Corps which His Majesty shall please to direct; and any Noncommissioned Officer or Marine may in any Case, in addition to any Service, be further adjudged to forfeit all Benefit or Advantage as to Increase of Pay, or as to Pension or Discharge, which might otherwise have accrued to such Noncommissioned Officer or Marine from the Length or Nature of his Service.

or order them
to be marked.

X. And be it further enacted, That it shall be lawful for any Court-martial, before which any Noncommissioned Officer or Marine shall be tried and convicted of Desertion, to direct, if it shall so think fit, in addition to any other Punishment such Court may award for any such Desertion, that such Deserter be marked on the Left Side, Two Inches below the Armpit, with the Letter (D.), such Letter not to be less than Half an Inch long, and to be marked upon the Skin with Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

How Order for
Transportation
shall be pro-
ceeded in.

XI. And be it further enacted, That whenever His Majesty shall intend any such Sentence of a Court-martial to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court-martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral for the Time being, or any Two or more of them, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by any Act or Acts in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order and Orders so to be made, and all such Acts as shall be so done as aforesaid, shall be obeyed and done by such Person in whose Custody such Offender shall at that Time be, and all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of the said Act with respect to any Offender in the said Act mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent, whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of the aforesaid Act; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and now in force concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation.

XII. And

XII. And be it further enacted, That the Justice or Baron who shall make any such Order as aforesaid, under any such Notification of His Majesty's Pleasure as aforesaid, shall direct the said Notification, and his own Order made thereupon, to be filed in the Office of the Clerk of the Crown of His Majesty's Court of King's Bench, and to be there kept of Record, and the said Clerk of the Crown shall receive a Fee of Two Shillings and Sixpence, and no more, for filing the same.

Order to be filed in the Office of the Clerk of the Crown ;

XIII. And be it further enacted, That the said Clerk of the Crown of His Majesty's Court of King's Bench shall, upon the Application of any such Offender, who shall be ordered by His Majesty to be transported as aforesaid, or of any other Person applying on his Behalf, or on the Application of any Person on Behalf of His Majesty, deliver a Certificate in Writing under his Hand (not taking for the same more than Two Shillings and Sixpence), containing an Account of the Christian Name and Surname of such Offender, of his Offence, of the Place where the Court was held, before whom he was convicted, and of the Terms and Conditions on which His Majesty's Order for such Offender's Transportation was given ; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

who shall on Application deliver a Certificate of the Conviction of any such Offender, &c.

XIV. And be it further enacted, That if any Offender under Sentence of Death by a Court-martial as aforesaid shall obtain His Majesty's conditional Pardon as aforesaid, all and every the Laws now in force touching the Escape of Felons under Sentence of Death shall apply to such Offender, and to all Persons aiding, abetting, or assisting in any Escape or intended Escape of any such Offender, or contriving any such Escape, from the Time when such Order shall be made by such Justice or Baron as aforesaid, and during all the several Proceedings which shall be had for the Purposes aforesaid.

Offenders under Sentence of Death, obtaining His Majesty's conditional Pardon, not suffered to escape.

XV. And it is hereby further enacted and declared, That no General Court-martial which shall have Power to sit by virtue of this Act shall consist of a less Number than Thirteen, whereof none to be under the Degree of a Commissioned Officer ; except Courts-martial to be holden on any Officer, Noncommissioned Officer, or Private Marine, who may be serving on Shore in any Place beyond the Seas, and out of His Majesty's Dominions, or out of the *East Indies*, in which cases any General Court-martial may consist of any Number not less than Seven ; and the President of such Court-martial shall not be under the Degree of a Field Officer of Royal Marines, unless where such Field Officer cannot be had, in which case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial ; and that such Court-martial shall have full Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination on Trial of any of the Offences that shall come before them.

General Court-martial not to consist of less than 13, except in Cases where serving beyond the Seas, &c.

XVI. And be it further enacted, That in all Trials of Offenders by General Courts-martial to be held by virtue of this Act, every Officer present at such Trials, before any Proceedings be had

Oaths to be taken by all Members of a

General Court-martial.

thereupon, shall take the following Oaths upon the Holy Evangelists, before the Court and Judge Advocate or his Deputy (who are hereby authorized to administer the same), in these Words; that is to say,

Oaths.

‘ YOU shall well and truly try and determine, according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord the King’s Majesty and the Prisoner to be tried. So help you GOD.’

‘ I A. B. do swear, That I will truly administer Justice according to an Act of Parliament now in force for the Regulation of His Majesty’s Royal Marine Forces while on Shore, and according to the Rules and Articles made in pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament or the said Rules and Articles), according to my Conscience, the best of my Understanding, and the Custom of War in like Cases: And I further swear, That I will not divulge the Sentence of the Court, until it shall be approved by the Lord High Admiral, or Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland; neither will I, upon any Account at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice in a due Course of Law. So help me GOD.’

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

The Oath.

‘ I A. B. do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice in a due Course of Law. So help me GOD.’

Oaths to be administered to Witnesses.

In Sentences of Death, what Number of Officers shall concur, &c.

And every such Court-martial is hereby authorized and directed to administer an Oath to every Witness who shall appear before them; and no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless Nine Officers present, or where the Court-martial shall consist of Seven Members, unless Five Officers present shall concur therein; and if there be more Officers present than Thirteen or Seven respectively, then the Judgment shall pass by the Concurrence of

Hours of Trial.

Two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example: Provided also, that all Witnesses duly summoned by the Judge Advocate or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same,

Witnesses during their Attendance privileged from Arrest.

same, be privileged from Arrest in like Manner as Witnesses attending any of His Majesty's Courts of Law are privileged; and that if any such Witness shall be unduly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested; or if the Court out of which the Writ or Process issued be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or the Court of Sessions in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and that all Witnesses duly summoned as aforesaid, who shall not attend on the Court-martial, whether the same be a General or Divisional Court-martial, or who attending shall refuse to be sworn or to give Evidence on any Court-martial, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Sessions in *Scotland*, or Courts of Law in the *East* or *West Indies*, or elsewhere respectively, upon Complaint made to the said Courts of King's Bench or Court of Sessions in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, in like Manner as if such Witness had neglected to attend on a Trial in any Criminal Proceeding in that Court.

Witnesses not attending liable to be attached.

XVII. Provided always, and be it further enacted, That it shall be lawful for any General or other Court-martial to sentence any Noncommissioned Officer or Private Marine to Imprisonment or to Imprisonment and hard Labour, in any House of Correction, Common Gaol, or Public Prison, or in any other Place which such Court may appoint for that Purpose; and all Gaolers and Keepers of such Houses of Correction or Prisons shall receive into their Custody, and keep in Confinement for such Time as they shall be respectively required so to do, or until discharged, any Noncommissioned Officer or Private Marine who may have been sentenced to Imprisonment by any General or other Court-martial, and shall provide a proper Place for the Confinement of any such Noncommissioned Officer or Private Marine, according to the Sentence of such Court, during the Period of his Imprisonment, upon receiving an Order in Writing from the Commanding Officer of the Division at which such General or other Court-martial shall have been held; and every Gaoler and Keeper of a House of Correction or Prison, who shall refuse to receive and to confine any such Noncommissioned Officer or Private Marine in Manner as aforesaid, shall forfeit for every such Offence the Sum of One hundred Pounds, to be recovered by Action of Debt or Information, for the Use of His Majesty.

Courts-martial may sentence Offenders to Imprisonment, &c.

XVIII. Provided also, and it is hereby declared and enacted, That it shall and may be lawful for the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, in case he or they shall deem it expedient so to do, by any Order in Writing to be made for that Purpose, under the Hand of the said Lord High Admiral, or of Two or more of the Commissioners aforesaid, and the Seal of the Office of Admiralty, to change the Place of Confinement to be expressed upon any

Admiralty may change the Place of Confinement of such Offenders.

Gaoler to be allowed not exceeding 1s. per Mile for Charges of Removal.

Noncommissioned Officer or Private Marine, either previous to the Commitment of such Noncommissioned Officer or Private Marine under any such Sentence, or at any Time afterwards during the Period of Confinement mentioned in such Sentence, and so from Time to Time as often as the said Lord High Admiral or the said Commissioners shall deem it requisite; and that the Gaoler or Keeper of the Prison, Gaol, or House of Correction, in which such Noncommissioned Officer or Private Marine shall happen to be, shall immediately on the Notification of such Order to him, remove and convey, or cause to be removed and conveyed, such Noncommissioned Officer or Private Marine to the Gaol, Prison, or House of Correction mentioned in the said Order so to be made as aforesaid (for the Charges of which Removal and Conveyance he shall be allowed a Sum not exceeding One Shilling *per* Mile); and every Gaoler or Keeper of such last-mentioned Gaol or House of Correction shall thereupon, and upon being furnished with a Copy of the Sentence of Confinement, and of such Order of Removal, (such Copies respectively to be attested by the Secretary of the Admiralty for the Time being,) receive into his Custody, and shall confine pursuant to such Sentence, such Noncommissioned Officer or Private Marine, under the like Penalty and Forfeiture of One hundred Pounds, in case of Refusal or Neglect, as is hereinbefore provided; such Penalty or Forfeiture in any such Cases to be recovered in any of His Majesty's Courts of Record at *Westminster* or *Dublin*, or in the Court of Exchequer or Court of Sessions at *Edinburgh*.

Pay to be forfeited during Imprisonment.

Gaoler to receive 6d. per Day for Subsistence of Prisoner.

XIX. And be it further enacted, That every Noncommissioned Officer or Private Marine, who shall be sentenced by any General, Divisional, or Detachment Court-martial to be imprisoned, shall forfeit all Right to any Pay from the Day of his Commitment during the Time of such Imprisonment; and also that during the Continuance of any such Imprisonment, the Gaoler or Keeper of such Prison or House of Correction shall receive the Sum of Sixpence *per Diem* out of the Subsistence of such Noncommissioned Officer or Private Marine, during the Time that such Noncommissioned Officer or Private Marine shall continue in Custody; which said Sum the Lords Commissioners of the Admiralty are hereby authorized and required to cause to be paid by the Paymaster of Royal Marines to the said Gaoler or Keeper aforesaid, upon receiving an Application in Writing to their Secretary, signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison, or House of Correction shall be locally situate, together with a Copy of the Order under which the said Noncommissioned Officer or Private Marine was confined: Provided always, that it shall be lawful for the Lords Commissioners of the Admiralty for the Time being, if they should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on account of such Noncommissioned Officer or Private Marine, during or after the Expiration of the Period of his Imprisonment in any Gaol, House of Correction, or Place of Military Confinement.

Like Allowance of 6d. per

XX. Provided always, and be it enacted, That in case such Imprisonment shall be in any Place of Military Confinement, and not

not in a Common Gaol or House of Correction, then the like Allowance of Sixpence *per* Day for Subsistence shall be made by the Paymaster General of Royal Marines to the Noncommissioned Officer or Private Marine so imprisoned, in lieu of all Pay or other Allowances.

Day in Places
of Military
Confinement.

XXI. And be it enacted, That the Party tried by any General Court-martial to be held as aforesaid shall be entitled to a Copy of the Sentence and Proceedings of such Courts-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same), at any Time not sooner than Three Months after such Sentence, whether such Sentence be approved or not; any Thing in this Act to the contrary notwithstanding.

The Party
tried entitled to
a Copy of the
Sentence and
Proceedings of
the Court-
martial.

XXII. And be it enacted, That every Judge Advocate, or Person officiating as such at any General Court-martial to be held as aforesaid, do and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain and Ireland*, to the End that the Persons entitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof according to the true Intent and Meaning of this Act.

Original Pro-
ceedings, &c.
of Courts-
martial to be
transmitted
to the Secretary
of the Admi-
ralty.

XXIII. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence at any such Court-martial as aforesaid, shall be liable to be tried a Second Time, by the same or any other Court-martial, for the same Offence, unless in the case of an Appeal from a Divisional to a General Court-martial; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once.

None to be
tried a Second
Time for the
same Offence
unless in case of
Appeal.

XXIV. And be it further enacted, That if any Officer or Private Man in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, and shall escape and come or be brought into this Realm before he be tried by a Court-martial for such Offence, and shall be apprehended for the same, such Officer or Private Man shall be tried for the same as if the same Offence had been committed within this Realm.

Persons offend-
ing beyond
Seas, &c. may
be tried here.

XXV. Provided always, That nothing in this Act contained shall extend or be construed to extend to exempt any Royal Marine, either Officer or Private Man, whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law for Crimes thereby cognizable.

Not to exempt
any on Shore
from ordinary
Process.

XXVI. Provided also, and be it further enacted, That no Person or Persons, being acquitted or convicted of any Capital Crimes, Violences, or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons ac-
quitted, &c. by
the Civil Ma-
gistrate.

Persons committed for Criminal Offences not to receive Pay till they return to the Regiment, &c.

XXVII. And be it further enacted, That no Officer, Noncommissioned Officer, or Private Marine, who shall be arrested, and committed to Prison upon a Charge of any Criminal Offence, shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Company to which he shall belong, or which he shall be ordered to join: Provided that if he shall be acquitted of the Offence for which he was committed, he shall, upon his Return to his Company, be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment during the Time of his Confinement, as well under the original Commitment as under any Commitment consequent upon such Conviction, and until the Day of his Return to the Company to which he shall belong, or which he shall be ordered to join: Provided always, that it shall be lawful for the Lords Commissioners of the Admiralty to order the Issue and Payment to any such Officer, Noncommissioned Officer, or Private Marine, during any such Commitment or Imprisonment, or either of them, or any Part thereof, of the Pay of any such Officer, Noncommissioned Officer, or Private Marine, or of any Proportion of such Pay, or of any Arrears thereof, either during such Commitment or Imprisonment, or after the Discharge of such Officer, Noncommissioned Officer, or Private Marine, after Conviction or otherwise, as shall appear to the Lords Commissioners of the Admiralty to be proper; and the Order of any Two of the said Lords Commissioners for the Payment of such Pay or Arrears shall be a sufficient Discharge for such Payment.

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XXVIII. Provided also, and be it further enacted, That if any Marine Officer, Noncommissioned Officer, or Private Man shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land, the Commanding Officer or Officers of every Company or Party is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate, and shall be also aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to trial; and if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in apprehending such Offender, every such Officer so offending, and being thereof convicted before any Two or more Justices of the Peace for the County where the Fact is committed, by the Oath of Two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace for the said County, and a certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

Penalty for Refusal.

XXIX. And Whereas there is and may be Occasion for the marching and quartering of the said Royal Marine Forces in several

‘several Parts of this Kingdom;’ Be it further enacted, That for and during the Continuance of this Act, and no longer, (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of Two or more of the Commissioners for executing the said Office of the Lord High Admiral for the Time being,) it shall and may be lawful to and for the Constables, Tithingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns, and Villages, and other Places within *England* and *Wales*, and the Town of *Berwick-upon-Tweed*, and, in their Default or Absence, for any One Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others, and such Constables and other Chief Magistrates as aforesaid are hereby required to quarter and billet the Marines, both Officers and Private Men, in His Majesty’s Service, in Inns, Livery Stables, Ale Houses, Victualling Houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin by Retail, to be drank in their own Houses, other than and except Canteens held and occupied under the Authority of the Commissioners for the Affairs of Barracks, or of the Department of the Ordnance, or of the Lords Commissioners of the Admiralty, and other than and except the House or Houses of any Distillers who keep Houses or Places for distilling Brandy or Strong Waters, and the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandize than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses), and in no other, and in no private Houses whatsoever without the Consent of the Occupier; nor shall any more Billets at any Time be ordered than there are effective Royal Marines present to be quartered; and if any Constable, Tithingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such private House, without the Consent of the Occupier, in such Case such Occupier shall have his or her Remedy at Law against such Magistrate or Officer for the Damages that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter Private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed, such Marine Officer shall for every such Offence (being thereof convicted before any Two or more of the next Justices of the Peace of the County, by the Oath of Two credible Witnesses,) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in His Majesty’s Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tithingman, or Headborough, Chief

Constables, &c. to quarter Officers and Men in Inns, Ale-houses, &c.

but in no Distillers, or Shopkeepers, Houses, or in any private Houses.

Penalty on Officers quartering Men contrary to this Act, &c.

Persons aggrieved by be-

Officer

ing quartered on may complain to any Justice, and be relieved.

Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace), has quartered or billeted in his House a greater Number of Royal Marines than he ought to bear in proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City, or Liberty where such Royal Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City, or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have, Power to relieve such Person, by ordering such and so many of the said Royal Marines to be removed, and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Royal Marines accordingly.

Penalty on Constables, &c. neglecting to quarter Marines;

or taking Money to excuse any Person from quartering; and on Victuallers refusing to receive Marines.

XXX. And be it further enacted, That if any High Constable, Constable, Beadle, or other Officer or Person whatsoever, who by virtue or colour of this Act shall quarter or billet, or be employed in quartering or billeting, any Marine Officers or Private Men, shall neglect or refuse for the Space of Two Hours to quarter or billet such Officers or Marines, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse, any Person or Persons whatsoever from quartering or receiving into his, her, or their House or Houses any such Officer or Marine; or in case any Victualler, or any other Person liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refuse to receive or to afford proper Accommodation to or to victual any such Officer or Marine so quartered or billeted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein respectively directed to be furnished or allowed to Noncommissioned Officers or Marines so quartered or billeted upon him or her as aforesaid, at the Rate which is or shall be established by any Act or Acts in force in that Behalf, and shall be thereof convicted before any One or more Justice or Justices of the Peace of the County, City, or Liberty within which such Offence shall be committed, either by his own Confession, or by the Oath of One or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby empowered to administer), every such High Constable, Constable, Beadle, or other Officer or Person so offending, shall forfeit for every such Offence the Sum of Five Pounds, or any Sum not exceeding Five Pounds nor less than Forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit); to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, City, or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of Five Pounds,

or

or the said Sum not exceeding Five Pounds nor less than Forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some One of them, for the Use of the Poor of such Parish.

XXXI. And for the better preventing Abuses in quartering or billeting the Royal Marines in pursuance of this Act, be it further enacted, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace within their respective Counties, Cities, or Liberties, by Warrant or Order under his or their Hand and Seal or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Constable, Constable, Beadle, or other Officer, who shall quarter or billet any Royal Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Private Men who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons upon whom every such Officer or Private Man shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and of the Signs (if any) belonging to their Houses, to the End it may appear to the said Justice or Justices where such Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

Justices may order Constables to give an Account of the Number of Officers and Private Men, and where quartered.

XXXII. And as very great Detriment and Inconvenience arise to the Service from the dispersing and billeting of Marines, when on a March, at a great Distance from the Place or Places where they are meant to be quartered, by reason of which they are placed wide of their intended Route for the next Day's March; Be it therefore enacted, That at no Time when Marines are on a March shall any of them be billeted above One Mile from the Place or Places mentioned in the Route.

Marines not to be billeted above One Mile from the Place mentioned in the Route.

XXXIII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men so quartered and billeted as aforesaid shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale Houses, Victualling Houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates that are or shall be established by any Act or Acts in force in that respect.

Officers and Marines to pay Rates for their Provisions.

XXXIV. Provided always, That in case any Innholders, or other Person on whom any Noncommissioned Officers or Private Men shall be quartered by virtue of this Act (except on a March or employed in recruiting, and likewise except the Recruits by them raised, for the Space of Seven Days at most for such Noncommissioned Officers and Private Men who are recruiting, and Recruits by them raised,) shall be desirous to furnish such Noncommissioned Officers and Private Men with Candles, Vinegar, and Salt, and with either Small Beer or Cider, not exceeding Five Pints for each Man *per Diem*, *gratis*, and allow to such Noncommissioned Officers or Private Men the Use of Fire and the necessary Utensils for dressing and eating their Meat, and shall give

If Innholders refuse to furnish the Men quartered on them with Meat, they shall allow them Candles, Small Beer, &c. *gratis*.

give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly, then and in such Case the Noncommissioned Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive or who shall actually receive the Pay and Subsistence of such Noncommissioned Officers and Private Men, shall pay the several Sums that are or shall be established by any Act or Acts in force in that Behalf to the Noncommissioned Officers and Private Men aforesaid, and not to the Innholder or other Person on whom such Noncommissioned Officers and Private Men are quartered; any Thing herein contained to the contrary notwithstanding.

Penalty on taking Money to excuse any Person from quartering.

XXXV. Provided always, and be it enacted, That if any Marine Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Commanding Officer may exchange Marines in their Quarters;

‘ XXXVI. And Whereas it may be for the Benefit of the Service for the Commanding Officer to have Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place; Be it therefore enacted, That the Commanding Officer of Royal Marines, in any Town or Place where such Marine Forces are quartered, shall and he is hereby declared to have Power from time to time to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place, provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively where such Men shall be exchanged; and the Constables, Tithingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns, and Villages, or other Places, where any of the said Royal Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

and the Constables to billet the same accordingly.

Officers to give Notice to Innkeepers of Subsistence Money in their Hands, &c.

XXXVII. And that the Quarters both of the said Marine Officers and Private Men, while on Shore as aforesaid, may during the Continuance of this Act be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted, That from and after the said Twenty fourth Day of March One thousand eight hundred and twenty-seven, every Officer or other Person to whom it belongs to receive or that shall actually receive the Pay or Subsistence Money for one or more particular Company or Companies of the said Royal Marine Forces, or otherwise, shall immediately upon each Receipt of every particular Sum which shall from time to time be paid, return, or come to his or their Hands on account of Pay or Subsistence, give public Notice thereof to all Persons keeping Inns, or other Places where Officers or Private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers and others to repair to their Quarters at such Times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence Money to such Officers or Private Men, which shall be within Four Days at the farthest after the Receipt of the same as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer

Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Private Men; and if any Officer or Officers as aforesaid shall not give Notice as aforesaid, and shall not immediately upon producing such Account stated, satisfy, content, and pay the same, upon Complaint and Oath made thereof by any Two Witnesses at the next Quarter Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer), the Paymaster or Person for the Time being authorized to pay the said Royal Marine Forces is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers, upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future; and in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the Time being authorized to pay the said Royal Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence Money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence Money as aforesaid, be deemed and taken and are hereby declared to be *ipso facto* cashiered.

XXXVIII. And where it shall happen that the Subsistence Money due to any Marine Officer or Private Man shall, by occasion of any Accident, not be paid to such Officer or Private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate so by him signed to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong, to the End the said Certificate may be forthwith transmitted to the proper Paymaster of the Royal Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Company under pain as is before in this Act directed for Nonpayment of Quarters.

XXXIX. And be it enacted, That it shall and may be lawful to quarter Officers and Private Men of His Majesty's Royal Marine Forces in *Scotland* in such and the like Places and Houses as Officers and Private Men of the Land Forces might have been quartered

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due.

Paymaster to pay the Sum certified for.

Officers, &c. to be quartered in Scotland as the Laws in force at the Union direct.

quartered in by the Laws in force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and Private Men quartered there as by the said Laws in force at the Time of the Union was provided with respect to the Officers and Private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

No Officer, &c.
to be quartered
on any Foreign
Consul.

XL. Provided always, and be it further enacted, That it shall not be lawful to quarter or billet, in any Part of the United Kingdom, any Officer or Marine upon or in the House or Residence of any Foreign Consul duly accredited as such; any Thing in this Act, or in any Act or Acts, or Law or Custom, to the contrary notwithstanding.

Officers, &c.
to be quartered
in Ireland as
the Laws in
force at the
Union direct.

XLI. And be it further enacted, That it shall and may be lawful to quarter Officers and Marines in *Ireland* in such and the like Places and Houses as they might have been quartered in by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*, and that the Possessors of such Houses shall only be liable to furnish the said Officers and Marines quartered there as by the said Laws in force at the Time of the said Union was provided; and that if any Person in *Ireland* liable to have Officers and Marines quartered and billeted on him, shall refuse to receive or victual any such Officer or Marine so quartered and billeted upon him or her as aforesaid, or shall refuse to furnish any such Officer or Marine so quartered or billeted in such Manner as by the said Laws in force in *Ireland* at the Time of the said Union was provided, every such Person so refusing shall be subject and liable to all such Penalties as any Person so refusing was liable to under or by virtue of any Laws in force in *Ireland* at the Time of the said Union.

Justices may
grant or trans-
fer Licences for
selling Ale, &c.
to any Person
authorized to
hold Canteens,
without Regard
to the Time of
of Year or the
Notices re-
quired for
granting such
Licences;

XLII. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, or any Two Magistrates, within their respective Jurisdictions, to grant or transfer any Licence for selling Ale by retail, or Cider or Perry, to be drank or consumed in any House or Houses or Premises, where more Houses or Premises than One shall be held together by the same Person or Persons as a Canteen, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquor, by retail, to any Person or Persons applying for the same, who shall hold any Canteen under any Lease thereof, or any Agreement or other Authority from the Lords Commissioners of the Admiralty, or from the Paymasters and Inspectors General of all His Majesty's Royal Marine Forces, without regard to the Time of Year or any Notices or Certificates specified or required in relation to the applying for or granting any such Licences; any Thing in any Act or Acts to the contrary notwithstanding; and it shall also be lawful for His Majesty's Commissioners of Excise in *England*, *Ireland*, and *Scotland* respectively, or any Person appointed or employed by the said Commissioners in *England* or *Ireland* respectively in that Behalf, or for any Collectors or Supervisors of Excise within their respective Districts, and they are hereby required to grant Licences for selling Beer or Ale by retail, or Cider or Perry, to be drank or consumed

and the Com-
missioners of
Excise are re-

consumed in the Houses or Premises occupied as a Canteen of the Person or Persons applying for such Licence, or any Licence to sell Spirituous Liquors, or Strong Waters, or Wine or Liquors, by retail, to any such Person or Persons who shall hold any such Canteen under any such Licence or Transfer of any such Licence of any Justice or Magistrate as aforesaid; and it shall also be lawful for any Person or Persons holding any such Canteen under any such Lease, Agreement, or Authority as aforesaid, and having such Licences as aforesaid, to keep such Canteen, and to utter and sell therein, and in the Premises thereto belonging, and not elsewhere, Victuals and all such exciseable Liquors as he and they shall be licensed and empowered to sell under the Authority and Permission of any such Excise Licence as aforesaid, without being subject to any Penalty or Forfeiture; any Thing in any Act or Acts to the contrary notwithstanding.

XLIII. And be it further enacted, That it shall and may be lawful for any Justice of the Peace for the County, Town, or Place where any Noncommissioned Officer or Marine shall be quartered in that Part of *Great Britain* called *England*, in case such Noncommissioned Officer or Private Marine have either Wife or Child or Children, to cause such Noncommissioned Officer or Private Marine to be summoned before him in the Town or Place where such Noncommissioned Officer or Marine shall be quartered, in order to make Oath of the Place of his last legal Settlement (which Oath the said Justice is hereby empowered to administer); and such Noncommissioned Officer or Private Marine as aforesaid is hereby directed to obey such Summons, and to make Oath accordingly; and such Justice is hereby required to take the Examination of such Noncommissioned Officer or Private Marine in Writing, and to give an attested Copy of the Examination so taken before him to the Person so examined, to be by him delivered to his Commanding Officer, in order to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement, before any of His Majesty's Justices of the Peace, or at any General or Quarter Sessions of the Peace, although such Noncommissioned Officer or Private Marine be dead or absent from the Kingdom: Provided always, that in case any Noncommissioned Officer or Private Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced by him or by any other Person on his Behalf, such Noncommissioned Officer or Marine shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

XLIV. And be it further enacted, That for the better and more regular Provision of Carriages for His Majesty's Royal Marine Forces on their Marches, or for their Arms, Clothes, and Accoutrements, in *England*, *Wales*, and the Town of *Berwick-upon-Tweed*, all Justices of the Peace within the several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, by an Order in Writing under his or their

quired to grant Licences to such Persons.

Any Justice may summon Marines having Wife or Children to make Oath of their last Settlement.

Justices may order Constables to provide Carriages for the Marine Forces on their Marches.

their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto One or more such Justice or Justices by the Officer or Officers of the Company or Companies of Royal Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constable or Petty Constable of the Division, Riding, City, Liberty, Hundred, or Precinct, from, through, near, or to which such Company or Companies shall be ordered to march, for each of which Warrants a Fee of One Shilling only shall be paid, requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen; and in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division, or Precinct, then the next Justice or Justices of the Peace for the County, Riding, or Division shall, upon such Order as aforesaid being brought or shewn to One or more of them by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division, or Precinct, for the Purposes aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers who, by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the respective Sums hereinafter mentioned, for which respective Sums so received the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Horses and Oxen and Men according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving, or causing to be driven, any such Waggon, Wain, Cart, or other Carriage, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of any such Waggon, Wain, Cart, or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act; any Thing in any Act or Acts relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding; and if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided shall force and constrain any Waggon, Wain, Cart, or Carriage to travel more than One Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or Servant (except such as are sick), or any Women, to ride in the Waggon, Wain, Cart, or Carriage aforesaid, or shall force any Constable or Petty

Waggons, &c.
not to be stop-
ped on account
of Weight or
Number of
Horses.

Penalty on
Officer forcing
Waggons to
travel more
than One Day's
Journey, &c.

Petty Constable, by threatening or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants, or Private Men; every such Officer for every such Offence shall forfeit the Sum of Five Pounds; Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace for the same County or Riding, who are to certify the same to the proper Paymaster of His Majesty's Royal Marine Forces, who is hereby required to pay the aforesaid Sum of Five Pounds, according to Order and Appointment under the Hands and Seals of the Justices of the Peace, and is also hereby empowered to deduct the same out of such Officer's Pay.

XLV. And be it further enacted, That the Sums to be paid into the Hands of such Constable or Petty Constable in *England, Wales, and Berwick-upon-Tweed*, shall be according to the following Rates; that is to say, The Sum of One Shilling for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel; and the Sum of Nine Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen Hundred Weight, shall travel; and the Sum of Sixpence for every Mile any Waggon with narrow Wheels, or any Cart or other Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel; or any further Sum not exceeding Four Pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel; and not exceeding Three Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen Hundred Weight, shall travel; and not exceeding Two Pence for every Mile any Cart or other Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel; such further Sum of Four Pence, Three Pence, or Two Pence respectively, or such Proportion of those Rates as may be deemed fair and reasonable, to be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, the said Justices having regard to the Price of Hay and Oats, and specifying in their Order the Average Price thereof at the nearest Market Town at the Time of fixing such additional Rates: Provided always, that in Cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like Manner to the Owners of the said Carriages, for the Excess beyond the said Fifteen Miles, as shall be deemed reasonable by the Magistrates who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided always, that every Order of the Justices assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in addition to the customary Rates of One Shilling and Nine Pence and Sixpence *per* Mile respectively, shall specify the Period for which the same shall be in Force, and which shall not in any Case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order; and a Copy of every such Order, signed by the Chairman or presiding Magistrate and One other Justice of the Peace or Magistrate

Rates of Carriage.

trate at the Quarter Sessions at which the same shall be made, shall within Three Days after the making thereof be transmitted to the Secretary of the Admiralty; and no such Order shall be valid or effectual unless a Copy thereof be so signed and transmitted as aforesaid: Provided also, that in every Case of any further Sum being allowed as aforesaid for the Hire of any Carriage, the Justice of the Peace granting or signing such Warrant shall insert in his own Hand the Amount of such further Sum for each Description of Carriage, as so authorized by the Justices at the Quarter Sessions as aforesaid, and the Date of the Order of the said Justices; and such Warrant shall be given to the Officer or Noncommissioned Officer commanding the Regiment, Corps, Company, Detachment, or Party requiring such Carriages, as his Voucher for the Payment of such further Sum; and no further Sum shall be demanded but such as shall be so inserted by the Justice in the Warrant.

For providing Carriages at Places distant from the Residence of any Justice of the Peace.

Lists to be made out of Persons liable to furnish Carriages, and all Orders to be made therefrom in Rotation.

Penalty on Constables, &c. for Neglect.

‘ XLVI. And Whereas great Inconvenience often arises from ‘ there being no Justice of the Peace or Magistrate residing near ‘ to Places specified in Routes at which Royal Marines are to ‘ halt and be billeted and quartered on the March, to issue ‘ Warrants for providing of Carriages;’ For Remedy whereof be it enacted, That it shall be lawful for any Constable, Tithingman, or Headborough, duly authorized for that Purpose by Warrant under the Hand and Seal of any Justice or Justices of the Peace residing nearest to such Place or Places, to make and give Orders for the providing of Carriages for the Baggage of Royal Marines on March, and to appoint Persons having Carriages within their respective Liberties or Jurisdictions to provide and furnish such Carriages, without having any special or particular Warrant for that Purpose; and all such Orders and Appointments shall be and be deemed to be as valid and effectual in all Respects and to all Intents and Purposes as if the same had been made and given by the Justice or Justices of the Peace having such Authority: Provided always, that every such Justice of the Peace shall, at the Time of giving such Warrant and Authority, and thereafter once in each Year, or oftener if necessary, cause a List or Lists to be made out of all Persons liable to furnish such Carriages under such Warrant, and of the Number and Description of Carriages belonging respectively to the Persons so liable to be required to furnish Carriages for Baggage or for Troops on the March; and such Lists shall, at all seasonable Hours, be open to the Inspection of all Persons whose Names shall be inserted therein; and all Orders and Appointments for such Carriages shall be made and taken from such Lists in regular Rotation as far as the same can be done, so as that the providing such Carriages shall be equally distributed among the several Persons liable to furnish the same under the Provisions of this Act.

XLVII. And be it enacted, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace as shall be directed unto such Constable or Petty Constable, for providing Carriages as aforesaid; or shall demand or receive for the Use of the Owners furnishing such Waggon, Wain, Cart, or Carriage, more than the accustomed Rates *per* Mile, of One Shilling, Nine Pence

Pence, or Sixpence, according to the Size of the respective Carriages as aforesaid, unless any further Sums, not exceeding the Amount hereinbefore specified, shall have been previously fixed and ordered by the Justices at any General Sessions of the Peace assembled as aforesaid; or if any Person or Persons appointed by such Constable or Petty Constable, to provide and furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated, every such Constable, or other Person or Persons so offending, shall for every such Offence forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings, to the Use of the Poor of such Parish or Parishes adjoining to the Parish where any such Offence shall be committed, as shall be fixed upon by the Justice or Justices by whom such Offence shall be inquired of, heard, and determined; and all and every such Offence and Offences shall be inquired of, heard, and fully determined by Two of His Majesty's Justices of the Peace dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner.

XLVIII. And Whereas in consequence of certain Exemptions from Tolls expressly allowed by several Acts for His Majesty's Forces on their March or on Duty, and for the Horses and Carriages attending them, Doubts have arisen whether in all Cases not so exempted the Officers and Marines, and the Carriages and Horses, Boats, Barges, and other Vessels belonging to His Majesty, or employed in His Service, and returning therefrom, may not be charged with the Payment of Tolls; Therefore, for obviating such Doubts, it is hereby enacted and declared, That all His Majesty's Officers and Marines, being in proper Uniform, and their Horses, on Duty or on their March, and all Carriages and Horses belonging to His Majesty, or employed in His Service, and returning therefrom, and also all Boats, Barges, and other Vessels, belonging to His Majesty, or employed in His Service, when conveying the Officers, Marines, Servants, Women, Children, or other Persons of or belonging to His Majesty's Royal Marine Forces, or the Arms, Clothes, Accoutrements, Tents, Baggage, and other Equipage of or belonging to His Majesty's Royal Marine Forces on their March, or returning therefrom, were and are and shall be exempted from Payment of any Duties and Tolls otherwise demandable by virtue of any Act already made or hereafter to be made for Persons, Horses, Carriages, or Vessels passing Turnpike Roads, Bridges, Rivers, Canals, or Locks, unless by such Act it has been or shall be expressly provided that the said Officers, Royal Marines, Carriages, Horses, and Vessels are and shall be liable equally with others to the Duties and Tolls therein authorized to be demanded and taken.

XLIX. And Whereas the respective Sums of Money by this Act appointed to be paid to the Constables, by the Officers demanding such Carriages, may not in many Cases be sufficient to answer the Charge and Expence of providing the same,

7 & 8 Geo. IV.

H

whereby

Officers and Marines, &c. and Carriages employed in His Majesty's Service, exempted from Payment of Toll.

Treasurer of the County to repay the Constable's extraordinary Charge.

' whereby the said Constables may be frequently at great Charges, over and above what is received by them of the said Officers, to the great Burthen of the Townships in which they are respectively Constables, or else the Persons furnishing such Carriages may be grievously oppressed; ' To prevent which, and that such Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding, be it further enacted, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the Public Stock of such County or Riding, according to such Rates, Orders, Rules, and Directions as the said Justices of the Peace in their Quarter Sessions assembled, within their respective Jurisdictions, shall from time to time, during the Continuance of this Act, make, direct, and appoint (which Orders shall be made without Fee or Reward); Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel.

The Money for that Purpose how to be raised.

L. And in case the said Public Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before mentioned, it is hereby further enacted, That the said Justices of the Peace in the General Quarter Sessions shall have Power from time to time to raise Money upon the respective Counties or Ridings, in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charges of Carriages.

No Waggon, &c. liable to carry above 20 Cwt.

LI. Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage impressed by Authority of this Act shall be liable or obliged by virtue of this Act to carry above Twenty Hundred Weight; any Thing in this Act contained to the contrary notwithstanding.

Carriages in Scotland how to be provided.

LII. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces quartered or marched in *Scotland* shall be provided in like Manner and at the Rates, and the Furnisher of such Carriages shall be paid as was directed by the Laws in Force in *Scotland* at the Time of the Union, with regard to furnishing Carriages for Land Forces: Provided always, that a Cart with One or more Horses, for which the Furnisher shall demand or receive Nine Pence *per* Mile, shall be required to carry Fifteen Hundred Weight at the least.

Carts to carry 15 Cwt. at 9d. per Mile.

Carriages in Ireland how to be provided.

LIII. And be it further enacted, That the Carriages for the Service of the Royal Marine Forces from time to time quartered or marching in *Ireland* shall be provided in like Manner, at the Rates, and the Furnisher of such Carriages shall be paid as was directed by the Laws in force in *Ireland* at the Time of its Union with *Great Britain*.

Marines' Wives, &c. not to be quartered without Consent.

LIV. And be it further enacted, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall, at any Time during the Continuance of this Act, quarter any of the Wives, Children,

Children, Men or Maid Servants, of any Officer or Marine in any such Houses against the Consent of the Owners, the Party offending, if an Officer of the Royal Marines, shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tithingman, or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace; to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Penalty.

LV. And for the better Preservation of the Game and Fish in or near such Place where any Officers shall at any Time be quartered, be it enacted, That if from and after the said Twenty fourth Day of *March* One thousand eight hundred and twenty seven, any Officer shall, without Leave first had and obtained from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Hare, Pheasant, Partridge, or any other Sort of Game, or any Fish within the Kingdom of *Great Britain and Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby empowered and authorized to hear and determine the same; (that is to say,) every Officer so offending shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed.

Penalty on Officers destroying Game, &c.

LVI. And Whereas several Marines, who being duly entered, 'may afterwards desert, and be found wandering, or otherwise 'absenting themselves illegally from His Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough, or Tithingman of the Town or Place where any Person who may reasonably be suspected to be such a Deserter shall be found, or if no such Constable, Headborough, or Tithingman can be immediately met with, then for any Marine Officer or Marine to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace living in or near such Town or Place, who is hereby empowered and required to examine such suspected Person; and if, by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is a Marine duly entered and ought to be with the Company to which he belongs, whether such Company shall be employed on board any of His Majesty's Ships or Vessels, or quartered on Shore, or employed on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty not being in Commission, or any Convict Hulk or Ship, such Justice of the Peace shall, without Fee or Reward to himself or Clerk, forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found, or to the House of Correction or other public Prison in such Town or Place where such Deserter shall be apprehended, and transmit an Account thereof to the Secretary of the Admiralty for the Time being,

Constables, &c. may apprehend Deserters, and carry them before a Justice, and transmit an Account to the Secretary of the Admiralty, &c.

Gaol Keeper to receive the Sub-
sistence of De-
serters.

with a Description of the Person of such Deserter, and the Name of the Division to which he may belong, to the End that he may be proceeded against according to Law; and the Keeper of every Gaol, House of Correction, or Prison, shall receive such Sub-sistence Money, for the Maintenance of such Deserter during the Time he shall continue in his Custody, as shall from time to time be directed in that Behalf by the Lords Commissioners of the Admiralty for the Time being, but shall not be entitled to any Fee or Reward on account of the Imprisonment of any such Deserter; any Law, Usage, or Custom to the contrary notwithstanding: Provided always, that it shall be lawful for the said Lords Commissioners of the Admiralty for the Time being, if they should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, to or on account of such Noncommissioned Officer or Marine, during or after the Expiration of his Period of Imprisonment in any Gaol or House of Correction, or other public Prison.

Reward for
taking up
Deserters.

LVII. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserter, be it further enacted, That in the Case of every Deserter apprehended in *Great Britain or Ireland*, the Secretary of the Admiralty, upon receiving from the Justice of the Peace, or other Civil Magistrate by whom the Deserter shall have been committed, a Report stating the Name or Names of the Person or Persons by whom the Deserter was apprehended and secured, which Report such Magistrate is hereby required to give, shall transmit to such Magistrate an Order upon the Paymaster of the Royal Marines for the Payment of the Sum of Twenty Shillings, to the Person or Persons so reported by the Magistrate, the Amount of which Reward shall be paid by the said Paymaster and charged against the Pay and Subsistence of every such Deserter, and shall be stopped and retained out of his Pay and Subsistence accordingly: Provided always, that this Reward shall only be given in Cases in which the Lords Commissioners of the Admiralty shall be satisfied that such Person or Persons is or are justly entitled to the same according to the true Intent and Meaning of this Act.

Persons con-
fessing them-
selves to be
Deserters, to be
deemed duly
enlisted.

LVIII. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from His Majesty's Royal Marine Forces, or who, upon being apprehended for Desertion or any other Offence, shall, in the Presence of the Magistrate, confess himself to be a Deserter from such Forces, shall be deemed to have been duly enlisted, and to be a Marine, and shall be liable to serve, whether such Person shall have been ever actually enlisted as a Marine or not; and if the Person so confessing himself to be a Deserter shall be serving at the Time in the Royal Marine Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Penalty on
Persons con-
cealing De-
serters, &c.

LIX. Provided always, and be it enacted, That if any Person shall harbour, conceal, or assist any Deserter from His Majesty's Royal Marine Service in deserting or in concealing himself from such Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of Twenty Pounds; and upon Conviction by the Oath of One or more credible Witness or Witnesses, before One or more of His Majesty's Jus-
tices

tices of the Peace, the said Penalty of Twenty Pounds shall be levied, by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; One Moiety of the said Penalty to be paid to the Informer, and the other Moiety to be paid to the Paymaster of the Royal Marine Forces, and shall be credited by such Paymaster in his public Accounts, and a Report of the Penalty being adjudged shall be made to the Secretary of the Admiralty by the Justices of the Peace by whom the same shall have been imposed; and in case any such Offender, who shall be convicted as aforesaid of harbouring, concealing, or assisting any such Deserter, shall not have sufficient Goods and Chattels whereon Distress may be made, to the Value of the Penalty awarded against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months.

' LX. And Whereas it has been judged expedient, for the Prevention of Desertion, to establish Outlying Parties in the Vicinity of the respective Divisions, for the Purpose of intercepting such Men as may straggle or attempt to desert from Head Quarters, and it is fit that Encouragement should be given to the Persons composing such Parties to be diligent and active in their Duty in this Behalf; Be it therefore enacted, That for and in respect of every Noncommissioned Officer or Private Marine so straggling or attempting to desert, who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the Delivery up of such Marine; which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Noncommissioned Officer and Private Marine, in like Manner as the Reward or Sum of Twenty Shillings is hereinbefore directed to be charged against, stopped, and retained out of the Pay and Subsistence of every Deserter; any thing herein contained to the contrary in anywise notwithstanding.

Reward for apprehending Marines attempting to desert.

' LXI. And Whereas many Justices and Chief Magistrates have erroneously discharged Recruits before the Expiration of Twenty four Hours after the Time of their Enlistment: And Whereas such Recruits are in consequence liable to be treated as Deserters through such Error of the Justice or Chief Magistrate, and without any evil Intention on their own Part; Be it therefore enacted, That no such Recruit who shall have been so erroneously discharged by a Justice or Chief Magistrate previous to the Twenty fifth Day of March One thousand eight hundred and twenty seven, shall be liable on that Account to be proceeded against as having absconded or deserted from His Majesty's Service.

Recruits discharged previous to March 25, 1827, before the Expiration of 24 Hours after Enlistment, not to be proceeded against as Deserters.

LXII. And be it further enacted, That if any Person shall knowingly detain, buy, or exchange, or otherwise receive any Arms, Ammunition, Clothes, Caps, or other Furniture belonging to the King, from any Marine, or Marine Deserter, or any other

Penalty on Persons receiving the Arms, Clothes, &c. of Deserters, &c.

Person, upon any Account or Pretence whatsoever, or any such Articles belonging to any Marine, or Marine Deserter, as are generally deemed Regimental Necessaries according to the Custom of the Royal Marine Corps (being provided for the Marine, and paid for by the Deductions out of his Pay), or cause the Colour of such Clothes to be changed, every such Person so offending shall forfeit for every such Offence the Sum of Five Pounds; and upon Conviction by the Oath of One or more credible Witness or Witnesses before any One or more of His Majesty's Justices of the Peace, the said Penalty shall be levied, by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; One Moiety thereof to be paid to the Informer, and the other Moiety to be paid to the Paymaster of the Royal Marine Forces, who shall report the same to the Secretary of the Admiralty, and credit the same in his public Accounts, and a Report of such Penalty being adjudged shall be made to the Secretary of the Admiralty by the Justices of the Peace by whom the same shall have been imposed; and in case any such Offender, who shall be so convicted, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty recovered against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publicly or privately whipped, at the Discretion of such Justice or Justices.

False Oaths
Perjury.

LXIII. And be it further enacted, That any Person taking a false Oath, in any Case wherein an Oath is required to be taken or authorized to be administered by this Act, shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted, shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Furlough ex-
tended in case
of Sickness, &c.

LXIV. And Whereas Marines absent on Furlough granted them by their Commanding Officers are sometimes prevented by Sickness or other unavoidable Casualty from returning to their Duty before the Expiration of the Time limited by such Furlough; and Doubts have arisen whether in such Cases the Extension of a Marine's Furlough by a Justice of the Peace be sanctioned by legal Authority, and effectual for preventing such Marine from being apprehended upon Suspicion of his having deserted; Be it further enacted, That any Inspecting Field Officer, stationed on the Recruiting Service, or any Officer of the Rank of Captain, or of superior Rank, or any Adjutant of Local Militia within the District; or in case there be no such Officer as aforesaid within a convenient Distance, then any Justice of the Peace may and he is hereby authorized to grant in Writing under his Hand an Extension of Furlough to any Noncommissioned Officer or Marine applying for the same, on account of Sickness or other Casualty which shall on due Inquiry appear to render such Extension necessary; and that every such Officer or Justice

Justice of the Peace, who shall grant to any Noncommissioned Officer or Marine an Extension of Furlough as aforesaid, shall immediately certify the same, with the Cause of its being so granted, to the Secretary of the Admiralty, and the Commandant of the Division to which the said Marine may belong; and that such Noncommissioned Officer or Marine, during the Period to which his Furlough shall have been so extended as aforesaid, shall not be liable to be apprehended or otherwise molested on the Ground of his having deserted, or of criminally absenting himself from his Division: Provided always, that nothing in this Act contained shall be construed to exempt any Noncommissioned Officer or Marine, whose Furlough shall have been so extended as aforesaid, from being proceeded against and punished according to the Provisions of this Act, should it thereafter appear that such Noncommissioned Officer or Marine had obtained the Extension of his Furlough by false Representation made to such Officer or Justice of the Peace as aforesaid, or in applying for and obtaining the same, had committed any Offence to the Prejudice of good Order and Military Discipline: Provided also, that no such Furlough shall be extended by any such Officer or Justice of the Peace for any longer Period than One Month, unless with the Approbation of the General Officer commanding the District where such Marine shall be.

LXV. Provided always, and be it further enacted, That in all Cases in which any Extension of Furlough shall be granted as aforesaid in *England*, and upon the Request of any such Noncommissioned Officer or Marine to whom the same shall be granted, it shall be lawful for the Justice of the Peace granting the same, or where the same shall be granted by any such Officer as aforesaid, for any Justice of the Peace, upon the Production of a Certificate in Writing from such Officer, which he is hereby required to give, to make an Order in Writing, in the Form in the Schedule to this Act annexed, marked (D.), under his Hand, upon the Churchwardens and Overseers of the Poor of the Parish, Township, or Place wherein such Noncommissioned Officer or Marine shall reside, requiring them to pay to such Noncommissioned Officer or Marine any Sum of Money directed in such Order, not exceeding Two Thirds of his Daily Pay; such Justice of the Peace taking particular Care to state upon the Furlough in Words, to † the Amount so directed by him to be paid, and the Periods from and to which the same has been ordered to be issued, both inclusive, corroborating the Statement of † his Signature, and further specifying upon the Order to the Parish Officer of † the Date of the Furlough originally granted, and the Name of the Commanding Officer by whom signed; and the same so authorized shall be paid accordingly, upon Production and Delivery to him of such Order, by any such Parish Officer, out of any Money in his Hands applicable for the Relief of the Poor; and the same so advanced by such Parish Officer shall, upon the Production and Delivery of such Order to the Collector of Excise of the District within which such Parish, Township, or Place shall be situated, or any Person officiating for such Collector, be repaid to such Parish Officer, to be applied to the Relief of the Poor, by such Collector of Excise or other Person, out of any

Order to be made for Pay due for the Period of the extended Furlough.

† *Sec.*

Public Monies in his Hands, and the same shall be allowed in his Accounts; and such Orders of Justices shall be taken as Cash in the Payment of Duties of Excise received by him; and all Sums of Money so advanced out of any Duties of Excise shall be repaid to the Account of the said Duties by the Paymaster of the Royal Marines to any Person or Persons authorized by the Commissioners of Excise in *England*, or any Three or more of them, to draw for and receive the same: Provided always, that if any Justice of the Peace shall not think fit to make such Order for paying any such Money as aforesaid, he shall state his Reasons for such Refusal in Writing at the Back of the Furlough.

His Majesty may make further Orders respecting such Payments.

LXVI. Provided always, and be it further enacted, That it shall be lawful for His Majesty to make any such further or other Regulations for the advancing of any such Sums of Money in all such Cases of Extension of Furlough, and for the Reimbursement thereof, as may be from time to time necessary for the carrying the same into Effect, and insuring the immediate Advance of such Money, where necessary, in *Great Britain or Ireland*, and the due and regular Reimbursements thereof.

Penalty for persuading Marines to desert.

LXVII. And be it further enacted, That if any Person or Persons shall in any Part of His Majesty's Dominions directly or indirectly persuade, aid, assist, or procure any Marine in the Service of His Majesty, His Heirs, or Successors, to desert or leave such Service, and being thereof lawfully convicted, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall judge.

Offences against former Acts may be inquired of and punished as under this Act;

LXVIII. And, in order to prevent all Doubts which may arise in relation to punishing Offences committed against former Acts made for the Regulation of the Royal Marine Forces while on Shore, be it enacted, That all Crimes and Offences which have been committed against any of the former Acts in that Behalf, shall and may, during the Continuance of this present Act, be inquired of, heard, tried, and determined, adjudged, and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means, and Methods, as the like Crimes and Offences committed against this present Act may be inquired of, heard, tried, determined, adjudged, and punished.

if committed within Three Years, except for Desertion.

LXIX. Provided always, That no Person shall be liable to be tried or punished for any Offence committed against any of the said former Acts, which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial; only for the Offence of Desertion.

No Volunteer liable to Process, unless for some criminal Matter, or unless for a Debt of 20*l*.

LXX. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Marines, whereby His Majesty and the Public may be deprived of their Service, it is hereby further enacted, That no Person whatsoever who is entered or shall enter himself as a Volunteer in His Majesty's Service as a Marine, during the Continuance of this Act, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action, and unless before the taking out of such Process or Execution (not being for a criminal Matter), the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit be-
fore

fore One or more Judge or Judges of the Court of Record or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of Twenty Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee shall be taken; and if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for One or more Judge or Judges of such Courts, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hands and Seals to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Marine so arrested was legally listed as a Marine in His Majesty's Service, and arrested contrary to the Intent of this Act; and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable; for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendants in the said Action.

LXXI. And to the End that honest Creditors, who aim only at the Recovery of their just Debts due to them from Persons entered as Marines in His Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves, may be enabled to proceed in a more speedy and cheap Method, be it further enacted, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their Place of Residence before such Entry, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to entitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than and against the Body or Bodies of him or them so entered as aforesaid; this Act, or any Thing herein, or any former Law or Statute, to the contrary notwithstanding.

LXXII. And be it further enacted, That from the passing of this Act no Marine, being arrested or confined for Debt in any Prison, Gaol, or other Place, shall be entitled to any Part of his Pay from the Day of such Arrest or Confinement until the Day of his Return to the Regiment or Company to which he shall belong.

LXXIII. And be it further enacted, That every Gaoler to whom any Notice shall have been given that any Person in his Custody

Plaintiff giving Notice may file a common Appearance and proceed to Judgment and Execution.

Marine while confined for Debt not to receive Pay.

Notice to be given to the

Secretary of the Admiralty of the Expiration of the Imprisonment.

Clause for Relief of Persons hastily enlisting themselves.

Custody for any Offence is a Marine, and liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice, or if there shall not be sufficient Time to give One Month's Notice, then a reasonable Notice, to the Secretary of the Admiralty before the Day on which the Imprisonment of such Person will expire, according to his Commitment or Sentence, of the Period of Expiration of such Imprisonment.

LXXIV. Provided nevertheless, and it is hereby declared, That from and after the Twenty fourth Day of *March* One thousand eight hundred and twenty seven, when and as often as any Person or Persons shall be enlisted as a Marine or Marines in His Majesty's Service, he and they shall, within Four Days, but not sooner than Twenty four Hours, after such enlisting respectively, be carried or go with some Officer, Noncommissioned Officer, or Marine belonging to the Recruiting Party by which he shall be enlisted, or with the Person employed on the Recruiting Service with whom he shall have enlisted, before some Justice of the Peace of any County, Riding, City, or Place, or Chief Magistrate of any City or Town Corporate, residing in or being next to or in the Vicinity of the Place where such Person or Persons shall have been enlisted, and not being an Officer of Royal Marines, and before such Justice or Chief Magistrate he or they shall be at liberty to declare his or their Dissent to such Enlisting; and upon such Declaration, and returning the Enlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, together with such full Rate allowed by Law for the Subsistence or Diet and Small Beer furnished to such Recruit subsequent to the Period of his having been enlisted, such Person or Persons so enlisted shall be forthwith discharged and set at liberty in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours after so declaring his or their Dissent, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be enlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily enlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand that such Person or Persons is or are duly enlisted, setting forth the Place of the Birth, Age, and Calling of him or them respectively (if known), and that the Second and Third Sections of the Articles of War, for the better Government of His Majesty's Royal Marine Forces while on Shore, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the said Articles of War, and also the Oath mentioned in the Schedule to this Act annexed marked (A.), which Oaths respectively such Justice or Chief Magistrate is hereby authorized and required to administer; and if any such Person or Persons so to be certified as duly entered shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer from whom he has received such Money as aforesaid to detain

detain or confine such Person or Persons until he or they shall take the Oath before required ; and every Officer of Royal Marines that shall act contrary hereto, or offend herein, upon Proof upon Oath made by Two Witnesses before a General Court-martial to be thereupon called, shall for such Offence be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service : Provided always, that every Noncommissioned Officer or Private Marine who shall enlist any Recruit shall, at the Time of such enlisting, inquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Noncommissioned Officer commanding the Recruiting Party, to be so taken down ; provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Noncommissioned Officer, or Private Marine belonging to the Recruiting Party, shall be with the Recruit, if it shall appear to such Magistrate, upon the Examination of such Recruit, or of any other Person, that the Recruiting Party have left the Place where such Recruit was enlisted, or that such Recruit could not procure any Noncommissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace ; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid when demanded to any Person belonging to the Recruiting Party entitled thereto demanding the same ; provided always, that in every Case wherein any Person shall have received Enlisting Money, and shall have absconded, or have absented himself from the Party aforesaid, so that it shall not be possible immediately to apprehend him, and bring him before a Magistrate, the Officer or Noncommissioned Officer commanding the Party shall produce to the Magistrate before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced shall, after satisfying himself that the Person who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Lords of the Admiralty or their Secretary, in order that in the Event of such Person being afterwards apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded, may be ascertained before he be finally adjudged to be a Deserter as having duly enlisted.

‘ LXXV. And Whereas it is highly expedient that no Doubt should remain as to the Service of Royal Marines by reason of any Omission of His Majesty's Heirs and Successors in any Oath of Attestation ; Be it therefore declared and enacted, That any Oath and Attestation of Service heretofore or hereafter taken and made to His Majesty is and shall be deemed and construed to be an Oath of Service to His Majesty's Heirs and Successors as the Sovereign of the Realm for the Time being, as fully and effectively,

Service to be to
His Majesty's
Heirs and Suc-
cessors.

tually, and to all Intents and Purposes whatsoever, as if the Words Heirs and Successors had been inserted in any such Oath or Attestation.

Persons receiving Enlisting Money absconding, or refusing to go before a Magistrate, shall be deemed enlisted.

LXXVI. And be it further enacted, That if any Person or Persons shall receive the Enlisting Money from any Officer (knowing it to be such), and shall abscond or refuse to go before such Justice or Chief Magistrate, or if any Person having received any such Enlisting Money as aforesaid shall thereafter absent himself from the Recruiting Party with which he enlisted, or Person with whom he enlisted, and shall not voluntarily return to such Recruiting Party or Person enlisting him, to go before some Justice of the Peace or Magistrate under the Provisions of this Act, within such Period of Four Days as aforesaid, such Person shall be deemed to be enlisted, and a Marine in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; nor shall any such Person who shall not have remained with, or who shall not have returned to such Recruiting Party or Person enlisting him as aforesaid, be entitled to be discharged, or be discharged by any Justice of the Peace or Magistrate after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice of the Peace that the true Name and Residence of the Person enlisted was disclosed and known to the Recruiting Party, and that no Notice was given to the Person enlisted, or left at his last usual Place of Abode, of his having so enlisted.

Concealing Infirmary.

LXXVII. And be it further enacted, That if any Person who shall enlist into His Majesty's Marine Forces, and who shall be discovered to be incapable of active Service, by reason of any Infirmary which shall have been concealed by such Person, or not declared before the Justice of the Peace at the Time of his Attestation, and mentioned at the Foot thereof, may be transferred into any Garrison or Veteran or Invalid Battalion, or into His Majesty's Regular Forces, and shall be entitled to receive such Proportion or Residue of Bounty only as shall be allowed by His Majesty, by any Regulation made in that Behalf, in lieu and instead of the Bounty upon which such Man shall have been enlisted; any Thing in any Act or Acts, or any Rules and Regulations relating to Soldiers or Marines, to the contrary notwithstanding.

Persons making false Representations in taking the Oath marked (A.), and obtaining Bounty, shall be deemed guilty of obtaining Money under false Pretences.
30 G. 2. c. 24. 1

LXXVIII. And be it further enacted, That any Person who shall knowingly, wilfully, and designedly make any false Representation of any Particular contained in the Form of Oath marked (A.) in the Schedule annexed to this Act, before the Justice of the Peace at the Time of his Attestation, for the Purpose of obtaining, and shall thereupon obtain any Enlisting Money, or any Bounty or Part of the Bounty, for enlisting into His Majesty's Royal Marines, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning of an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue*

untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses by Journeymen, Labourers, Servants, and Apprentices; and that the Production of such Oath, and Proof of the Justice's Handwriting thereto, shall, in any Prosecutions to be instituted against the enlisting Person or Recruit therein named, be sufficient Evidence of such Person having represented the several Particulars contained in such Oath at the Time of his being attested; and that Proof by the Oath of One or more credible Witness or Witnesses, that the Person so prosecuted hath freely and voluntarily declared or acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Corps or Regiment in His Majesty's Service, or to His Majesty's Royal Navy or Royal Marines, or that he was an Apprentice, shall be deemed and taken as sufficient Evidence of the Fact so by him declared or acknowledged, without Production of any Roll or other Document to prove the same; and in case such Person shall be an Apprentice, or shall belong to the Militia, he shall, immediately after the Expiration of his Apprenticeship, or other sooner Determination of it, or at the Expiration of the Period of his Service in the Militia, whether he shall have been convicted and punished or not, be deemed duly enlisted, and be liable from thenceforth to serve as a Marine; and if, on the Expiration or other sooner Determination of his Apprenticeship, or at the Expiration of the Period of his Service in the Militia, he shall not deliver himself up to some Officer at the Head Quarters of One of the Divisions of His Majesty's Royal Marine Forces, or to some Royal Marine Officer authorized to receive Recruits, he shall be liable to be apprehended and dealt with as a Deserter from His Majesty's said Royal Marine Forces: Provided always, that every such Person belonging to the Militia shall be liable to serve, within the United Kingdom of *Great Britain and Ireland*, in the Division of the Royal Marine Forces in which he shall have enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Division into which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Division.

LXXIX. Provided always, and be it further enacted, That it shall be lawful for any Two Justices of the Peace or Magistrate before whom any Person shall be brought who has enlisted, and who shall be proved upon Oath before them and convicted of having wilfully concealed any Infirmary upon being attested, to adjudge such Person to be a Rogue and Vagabond, and such Person shall thereupon be subject to such Punishment as by and under any Statutes or Laws now in force may be inflicted upon Rogues, Vagabonds, and Vagrants and incorrigible Rogues, to be adjudged by the Justices of the Peace or Magistrates so convicting any such Person as aforesaid.

LXXX. And be it further enacted, That no Master shall be entitled to claim any Apprentice who shall, after the passing of this Act, enlist as a Royal Marine in His Majesty's Service, unless such

Apprentices and Militia Men so obtaining Money shall be deemed to be enlisted as Marines.

Such Militia Men to serve in the Marines in the United Kingdom during the Time the Militia is disembodied.

Penalty for Concealment of Infirmary.

Master claiming Apprentices to take the Oath men

tioned in Schedule (B.), &c.

such Apprentice shall have been bound to him in *England* for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and if in *Ireland*, or in the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded or left his Service, go before some Justice of the Peace or Magistrate, and before such Justice of the Peace or Magistrate take the Oath mentioned in the Schedule to this Act annexed, marked (B.), and produce the Certificate of such Justice of the Peace or Magistrate, of his having taken such Oath, which Certificate such Justice of the Peace or Magistrate is hereby required to give in the Form in the Schedule to this Act annexed, marked (C.).

Apprentices in Scotland, &c.

LXXXI. And be it further enacted, That no Master in *Scotland* shall be entitled to claim any Apprentice who shall after the passing of this Act enlist as a Marine, unless such Apprentice shall have been bound to him for the full Term of at least Four Years by a regular Contract or Indenture of Apprenticeship duly executed, signed, and attested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture so duly executed shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age, and unless such Master shall, within One Calendar Month after such Apprentice shall have absconded or left his Service, go before some Justice of the Peace, and before such Justice of the Peace take the Oath mentioned in the Schedule to this Act annexed, marked (B.), and produce the Certificate of such Justice of the Peace of his having taken such Oath, which Certificate such Justice of the Peace is hereby required to give in the Form in the Schedule to this Act annexed, marked (C.): Provided always, that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover any such Apprentice in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven Years in *England*, Five Years in *Ireland*, or in the Islands of *Guernsey, Jersey, Alderney, Sark, or Man*, or Four Years in *Scotland*.

Persons hired by the Year enlisting to be entitled to a Proportion of their Wages.

LXXXII. Provided always, and be it further enacted, That if any Person who shall have been hired to serve any Master for a Year or otherwise, shall before the Expiration of his Time of Service under such Hiring enlist into His Majesty's Royal Marine Forces, such Person shall be entitled to such Proportion of Wages as the Magistrate shall think proper from his Master for the Time he has actually served under such Hiring, notwithstanding he shall have failed, in consequence of such Enlisting, in completing the

the full Term of Service agreed for under such Hiring; and the Magistrate shall give an Order, and take such other Steps as shall be necessary to enforce the Payment of such Proportion, within Five Days after the Amount shall have been declared by such Magistrate.

LXXXIII. And be it further enacted, That no Officer of His Majesty's Royal Marine Forces, residing in Barracks or elsewhere, under Military Law, shall be deemed liable to have any Parish poor Child bound Apprentice to him, but that every such Officer shall be wholly exempt from taking or receiving, or from having bound to him any such Apprentice; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Officers not liable to have Parish Children apprenticed to them.

LXXXIV. And Whereas it may be expedient in certain Cases, particularly where a sufficient Number of Marine Officers cannot be conveniently assembled, or in Matters wherein any of His Majesty's Land Forces may be interested, that Officers of the Land Forces should be associated with the Royal Marine Officers for the Purpose of holding Courts-martial; Be it enacted and declared, That when and as often as it shall be necessary, it shall and may be lawful for Officers of Royal Marines and Land Forces to sit in Conjunction upon all Courts-martial, and to proceed in the Trial of any Marine Officer or Private Man, in like Manner to all Intents and Purposes as if such Courts-martial were composed of Marine Officers only, and whether the Commanding Officer by whose Order such Court-martial is assembled belong to the Land or to the Marine Forces; and the Officers of Marine and Land Forces are in such Cases to take Rank according to the Seniority of their Commissions in either Service.

Officers of the Marine and Land Forces may sit in Conjunction upon Courts-martial.

LXXXV. Provided always, and it is hereby declared, That all His Majesty's Royal Marine Forces, as well Officers as Private Men, shall from time to time, during their being respectively borne as Part of the Complement of any of His Majesty's Ships or Vessels, or as Supernumeraries on board the same, be subject or liable, in like Manner in all respects as any Officers or Seamen employed in His Majesty's Sea Service are subject and liable to be governed and proceeded against and punished for Offences committed by them during the Time they shall be borne as Part of the Complement of such Ships or Vessels, or as Supernumeraries on board the same, according to the Purport, Tenor, Effect, and true Intent and Meaning of an Act passed in the Twenty second Year of the Reign of His late Majesty King George the Second, intituled *An Act for amending, explaining, and reducing into One Act, the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea*; this present Act or any thing herein contained notwithstanding.

Marines borne as Part of the Complement of any Ship liable to be governed by the Rules established by 22 G. 2.

LXXXVI. And be it further enacted, That every Commissioned Officer, Storekeeper, or Commissary, or Deputy or Assistant Commissary, or other Person employed in the Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to His Majesty's Royal Marine Forces, or for their Use, that shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Clothes, Ammunition, or other Military

Persons employed in the Commissariat Department, embezzling Stores, may be tried by Court-martial, &c.

or

or Royal Marine Stores, to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court-martial; and it shall be lawful for such Court-martial to adjudge any such Person to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, and be incapable of serving His Majesty in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence, or that such Person shall forfeit Two hundred Pounds; and that such Person shall, in addition to any other Punishment, make good, at his own Expence, the Loss and Damage thereby sustained, to be ascertained by such Court-martial, which shall have Power to seize the Goods and Chattels of the Person so offending, and sell them for the Payment of the said Two hundred Pounds, and such Damage; and if sufficient Goods and Chattels cannot be found and seized, then the Person so offending shall be committed to the Prison, or the Common Gaol, there to remain (in addition to any other Punishment or Imprisonment) for Six Months without Bail or Mainprize, and until he shall pay such Deficiency; and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as His Majesty shall direct and appoint.

Continuance of
this Act.

LXXXVII. And be it further enacted, That this Act and every Thing herein contained shall be and continue in force within *Great Britain* from the Twenty fourth Day of *March* One thousand eight hundred and twenty seven, until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight; and shall be and continue in force within *Ireland* from the First Day of *April* One thousand eight hundred and twenty seven, until the First Day of *April* One thousand eight hundred and twenty eight inclusive; and shall be and continue in force within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty fifth Day of *May* One thousand eight hundred and twenty seven, until the Twenty fifth Day of *May* One thousand eight hundred and twenty eight inclusive; and it shall be and continue in force in all other Parts of *Europe* where Royal Marine Forces may be serving, and in the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty fifth Day of *July* One thousand eight hundred and twenty seven, to the Twenty fifth Day of *July* One thousand eight hundred and twenty eight inclusive; and shall be and continue in force in all other Places from the Twenty-fifth Day of *September* One thousand eight hundred and twenty seven, to the Twenty fifth Day of *September* One thousand eight hundred and twenty eight inclusive.

Act in part
may be altered
this Session.

LXXXVIII. And be it further enacted, That this Act, so far as relates to the Allowances to be made for the quartering of Royal Marines, and providing for their Horses, may be altered, varied, or repealed by any Act or Acts to be made in this present Session of Parliament.

SCHE.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Form of Oath.

I do make Oath, That I am by Trade a
 and to the best of my Knowledge and Belief was
 born in the Parish of in the County of
 and that I have no Rupture, nor ever was troubled
 with Fits, and am no ways disabled by Lameness or otherwise, but
 have the perfect Use of my Limbs; and that I am not an Ap-
 prentice, and that I do not belong to the Militia, or to any Regi-
 ment in His Majesty's Service, or to His Majesty's Navy or Royal
 Marines. As witness my Hand at the
 Day of One thousand eight hundred
 and

Sworn before me at this
 Day of One thousand eight }
 hundred and
 Witness present.

SCHEDULE (B.)

Form of Master's Oath.

I of do make Oath, That I
 am by Trade a and that
 was bound to serve as an Apprentice to me in the said Trade, by
 Indenture dated the Day of for the
 Term of Seven Years; and that the said did on
 or about the Day of abscond and quit
 my Service without my Consent; and that to the best of my
 Knowledge and Belief the said is aged about
 Years. Witness my Hand at the
 Day of One thousand eight hundred
 and

Sworn before me at this
 Day of One thousand eight }
 hundred and

SCHEDULE (C.)

Form of Justice's Certificate.

To wit. } I A. B. One of His Majesty's Justices of the Peace
 of certify, That of
 came before me at on the
 Day of One thousand eight hundred
 and and made Oath that he was by Trade a
 and that was bound to
 serve as an Apprentice to him in the said Trade, by Indenture
 dated the Day of for the Term of Seven
 Years; and that the said Apprentice did, on or about the
 Day of abscond and quit the Service of the said
 7 & 8 Geo. IV. I said

said without his Consent; and that to the best of his Knowledge and Belief the said Apprentice is aged about *A. B.* Years.

SCHEDULE (D.)

To the [Churchwardens or Overseers] of the [Parish, Township, or Place.]

YOU are hereby required to pay *A. B.* [*describe whether Non-commissioned Officer, &c.*] within named, on Furlough from the Day of to the Day of signed by [*Commanding Officer signing the Furlough*] the Sum of out of any Money now in your Hands, or out of the first Money which shall come to your Hands in respect of the Rates for the Relief of the Poor, being at the Rate of per Day from the Day of to the Day of both inclusive; and for so doing this shall be your Warrant, and pass as such for your Repayment under the Marine Mutiny Act. Witness my Hand the Day of Justice of the Peace for

C A P. VI.

An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from *Saint Domingo and Cuba.* [21st March 1827.]

5 G. 4. c. 10.

WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty Rates of Postage on the Conveyance of Letters and Packets to and from Buenos Ayres, or any other Port or Ports on the Continent of South America*, reciting, that it might be expedient that Packet Boats should be established to His Majesty's Colonies, and also to other Foreign Parts where Rates of Postage had not hitherto been authorized, and that at the Time of establishing such Packet Boats, Parliament might not be sitting, and no Rates of Postage could in such Case be authorized by Law for the Port and Conveyance of Letters and Packets by the same; it was therefore enacted, that from and after the Establishment of any such Packet Boats to any of His Majesty's Colonies or other Foreign Parts, it should be lawful for His Majesty's Postmaster General, and his Deputy and Deputies by him thereunto authorized, with the Consent of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three of them, for the Use of His Majesty, His Heirs, and Successors, to demand, have, receive, and take, for the Port and Conveyance of all and every the Letters and Packets that should be carried or conveyed by such Packet Boats which might hereafter be established as hereinbefore mentioned, such Rates of Packet Postage as should be equal in proportion to the Rates by the now reciting Act made payable for the Port or Conveyance of Letters

'ters and Packets to and from *Buenos Ayres*, or any other Port
'or Ports on the Continent of *South America*; and it was further
'enacted, that as soon as conveniently might be after the next
'Session of Parliament succeeding the Establishment of such
'Rates as aforesaid, the Receipt of such Packet Rates of Post-
'age as might then be judged necessary and expedient should be
'by such Session of Parliament authorized by Law: And Whereas
'since the last Session of Parliament it hath been found expe-
'dient, for the Convenience and Improvement of Trade and Com-
'merce, to establish Packet Boats between the Port of *Falmouth*
'in this Kingdom, and certain Ports in the Islands of *Saint Do-*
'*mingo* and *Cuba* in the *West Indies*; and such Packet Boats
'have been established accordingly: And Whereas it is expe-
'dient that the Rates of Postage for the Conveyance of Letters
'and Packets by Packet Boats, between the several Places afore-
'said, be authorized by Law; Be it therefore enacted by the
King's most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same,
That it shall and may be lawful to and for His Majesty's Post-
master General, and his Deputy and Deputies by him thereunto
authorized, for the Use of His Majesty, His Heirs, and Succes-
sors, at any Time after the passing of this Act to demand, have,
receive, and take, for the Port and Conveyance of all and every
the Letters and Packets that shall be carried or conveyed by
Packet Boats from or to the Port of *Falmouth* aforesaid, or from
or to any other convenient Port in the United Kingdom of *Great*
Britain and *Ireland*, to or from any Port or Ports in the Island
of *Saint Domingo* in the *West Indies*, (over and above all other
Rates payable for the Conveyance of such Letters and Packets
within the said United Kingdom,) a Packet Postage according to
the Rates and Sums, in Sterling Money, hereinafter mentioned;
(that is to say),

Rates of Post-
age to be taken
for the Convey-
ance of Letters
or Packets to or
from *Saint*
Domingo.

For every Single Letter, One Shilling and Three Pence:

For every Double Letter, Two Shillings and Sixpence:

For every Treble Letter, Three Shillings and Nine Pence:

And for every Ounce in Weight, Five Shillings; and so in
proportion for every Packet or Letter above the Weight of
an Ounce:

And for the Port and Conveyance of all and every the Letters and
Packets that shall be carried or conveyed by Packet Boats from
or to the said Port of *Falmouth*, or from or to any other conven-
ient Port in the said United Kingdom, to or from any Port or
Ports in the Island of *Cuba* in the *West Indies*, (over and above
all other Rates payable for the Conveyance of such Letters and
Packets within the said United Kingdom,) a Packet Postage ac-
cording to the Rates and Sums, in Sterling Money, hereinafter
mentioned; (that is to say),

Rates to or
from *Cuba*.

For every Single Letter, Two Shillings and One Penny:

For every Double Letter, Four Shillings and Two Pence:

For every Treble Letter, Six Shillings and Three Pence:

I 2

And

And for every Ounce in Weight, Eight Shillings and Four Pence; and so in proportion for every Packet or Letter above the Weight of an Ounce.

Rates to be paid when the Letters are put into the Post Office.

II. And be it further enacted, That the several Rates of Postage, chargeable and payable under and by virtue of this Act for the Port of Letters and Packets from the said United Kingdom to *Saint Domingo* or *Cuba* aforesaid, shall, in addition to and together with any Inland Rates to which such Letters and Packets may be liable, be paid on putting the same into the Post Office of the Town or Place in *Great Britain* or *Ireland*, from whence any such Letter is intended to be sent by the Post.

Powers of Acts relating to the Post Office extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisions, Powers, Privileges, Advantages, Disabilities, Penalties, Forfeitures, and Distribution thereof, and all other Matters and Things contained in any Act or Acts of Parliament in force at the Time of the passing of this Act, relating to the Post Office, or any Rates or Duties payable on the Port or Conveyance of Letters or Packets, and not repealed or altered by this Act, shall, so far as the same are applicable, continue in force and be applied and extended, and shall be construed to apply and extend to this present Act, and to the Rates and Duties hereby granted, as fully and effectually, to all Intents and Purposes, as if the same had been particularly repeated and re-enacted in the Body of this Act.

Money arising by the Rates to be carried to Consolidated Fund.

IV. And be it further enacted, That the Monies to arise by the Rates and Duties aforesaid (except the Monies which shall be necessary to defray such Expences as shall be incurred in the Management and Collection of the same) shall be paid into the Receipt of the Exchequer at *Westminster*, and be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

General Issue.

V. And be it further enacted, That if any Person or Persons shall be at any Time or Times sued, molested, or prosecuted, for any Thing by him, her, or them done or executed in pursuance of this Act, or of any Clause, Matter, or Thing herein contained, such Person and Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his, her, or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them, against such Plaintiff or Plaintiffs.

Treble Costs.

C A P. VII.

An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in *England*, and also certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and twenty seven. [2d April 1827.]

‘ Most Gracious Sovereign,
‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the
‘ Commons of the United Kingdom of *Great Britain* and
‘ *Ireland*,

Ireland, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter mentioned: And Whereas by an Act passed in the Thirty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight*, the several and respective Sums of Money charged by virtue of an Act of the same Session of Parliament, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight*, on any Manors, Messuages, Lands, Tenements, or Hereditaments in *Great Britain* are, after the Twenty fifth Day of March One thousand seven hundred and ninety nine, continued and made perpetual, with a Provision that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit, or any Salaries, Gratuities, Bounty Monies, Rewards, Fees, Profits, Perquisites, Advantages, Pensions, Annuities, Stipends, or yearly Payments in the said Act mentioned, should, after the Twenty fifth Day of March One thousand seven hundred and ninety nine, be ascertained, raised, levied, collected, and paid according to the Directions of any Act or Acts to be passed for that Purpose: And Whereas the Sums of Money and Duties last mentioned have been from time to time continued by divers Acts of Parliament, and are now in force until the Twenty fifth Day of March One thousand eight hundred and twenty seven; Therefore we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective sums of Money and Duties which shall have been or shall be charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, Chattels, or other Personal Estate, by virtue of the said Act passed in the Thirty eighth Year of the Reign of His said late Majesty, for granting an Aid to His Majesty by a Land Tax, and also the several Sums of Money and Duties which by virtue of the said recited Act, made in the Thirty eighth Year of His said late Majesty's Reign, for granting an Aid to His Majesty by a Land Tax, were charged in respect of any Public Offices or Employments, or any Annuities, Pensions, Stipends, or other annual Payments, and which have been continued and are in force until the Twenty fifth Day of March One thousand eight hundred and twenty seven, shall be continued and raised, levied, collected and paid unto His present Majesty within the Space of One Year from the said Twenty fifth Day of March One thousand eight hundred and twenty seven.

38 G. 3. c. 60.

38 G. 3. c. 5.

Duties charged
 on Personal
 Estates,
 Offices, and
 Pensions by
 recited Acts
 further contin-
 ued.

The several
Clauses of
6G.4. c.9. for
ascertaining
and regulating
the Duties, ex-
tended to this
Act.

II. And be it further enacted, That the several Clauses and Provisions contained in an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in England; and also for granting certain Duties on Sugar imported; for the Service of the Year One thousand eight hundred and twenty five*, for the ascertaining, assessing, taxing, regulating, paying, and accounting for the Duties on Personal Estates, Offices, and Pensions, shall extend and be construed to extend to the Duties on Personal Estates, Offices, and Pensions hereby granted and continued, except where other Provisions are made by this Act; and that the several Clauses and Provisions in the said Act contained, which relate or refer to any Day or Time within or during or before or after the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and twenty six, shall extend and be construed to relate to the like Days and Times within or during or before or after the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and twenty seven, in like Manner as by the said recited Act is directed with reference to the Year One thousand eight hundred and twenty six, and as if the several Clauses and Provisions in the said recited Act contained were repeated and re-enacted in this present Act.

Duties on
Sugar by 7G.4.
c.48. continued
until July 5,
1828.

III. And Whereas by an Act passed in the last Session of Parliament, intituled *An Act to alter and amend the several Laws relating to the Customs*, and by a Table contained in the said Act, several Duties on Sugar, Brown or Muscovado, or Clayed, not being refined, were made payable until the Fifth Day of *July* One thousand eight hundred and twenty seven; Be it enacted, That the several Duties made payable on such Sugar by the said Act, and the Table contained in the said Act, shall be and the same are hereby further continued, from and after the Expiration of the Time limited as aforesaid, until the Fifth Day of *July* One thousand eight hundred and twenty eight.

Monies paid
into the Exchequer
under this
Act shall be
entered sepa-
rate from other
Payments.

IV. And be it further enacted, That there shall be provided and kept in the Office of the Auditor of the Receipt of His Majesty's Exchequer at *Westminster*, One Book of Register, in which all the Money that shall be paid into the said Exchequer for the said Rates and Duties hereby granted or continued on Personal Estates, and on Offices and Employments of Profit, Pensions, Annuities, and Stipends, and from so much of the said Duties on Sugar as shall arise and be payable in *Great Britain*, shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty; and that it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from time to time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain and Ireland* in this present Session of Parliament; and that so much of the said Duties on Sugar as shall arise and be payable in *Ireland* shall be paid into the Receipt of the Exchequer there, and shall be carried to the Consolidated Fund.

The Officers of
the Exchequer
to stop the
Duties hereby

V. Provided always, and be it enacted, That no assessment shall be made by any Commissioner or Commissioners, Assessor or Assessors of the Land Tax, or otherwise, on or in respect of

of the Duties hereby granted on Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments whatsoever payable at the Receipt of His Majesty's Exchequer; nor shall any such Duties be collected or received by any Collector of the Land Tax, or included in the Parchment or other Duplicates, as heretofore; but all and every such Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments, shall be and they are hereby respectively charged, assessed, and taxed with the Duties hereby granted or continued, at the same annual Rate and to the like Amount as the same were respectively rated, charged, and assessed under the said recited Act of the Sixth Year of His present Majesty's Reign, or under any other Act or Acts; and the proper Officer or Officers in the said Exchequer shall, and he and they is and are hereby respectively directed, authorized, and empowered from Time to Time to stop and detain such Duties out of the said Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments or Arrears thereof, without any other or further Authority than the Provisions of this Act, and to all Intents as if such Duties had been brought into Assessment as heretofore, any Thing in this Act or in any other Act or Acts contained to the contrary thereof notwithstanding; and every such Officer or Officers shall, and he and they is and are hereby required from time to time to pay over the said Duties so stopped to the Receiver General of the Land Tax authorized to receive the same, and to render true Lists and Accounts thereof *gratis* to the Commissioners for the Affairs of Taxes, so that such Receiver General may be duly charged therewith.

granted out of Annuities, Pensions, &c. payable at the Exchequer, and pay the same over to the Receiver General of the Land Tax.

VI. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, at any Time or Times when they shall think fit so to do, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the Whole, including any Sum or Sums of Money issued towards the Aids or Supplies in pursuance of this Act, the Sum of Three Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions as are directed and prescribed in and by an Act made in the Forty eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

The Treasury may direct Exchequer Bills to be made out, not exceeding 3,000,000*l*.

VII. And be it further enacted, That all and every the Clauses, Provisions, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act, made in the Forty eighth Year of the Reign of His said late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisions had been particularly repeated and re-enacted in the Body of this Act.

Powers of 48 G. 3. c. 1. extended to this Act.

VIII. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Four Pounds *per Centum per Annum*

Exchequer Bills to bear an Interest not exceeding 4 per Cent.

Annum upon or in respect of the Whole of the Monies respectively contained therein.

Bank of England may advance Money on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

IX. And be it declared and enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Exchequer Bills authorized by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France*, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Bills to be placed as Cash in the Exchequer;

X. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland*, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of Exchequer; each and every of which Tellers shall be severally charged with a Proportion of the said Bills which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

and to be issuable thereout in common with other Monies.

XI. And be it further enacted and declared, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash, according to the Course of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from time to time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from time to time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills to be charged on the Duties granted by this Act.

XII. Provided always, and be it further enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall be and the same are hereby made chargeable and charged upon the Rates, Duties, and Assessments granted by this Act; and it shall be lawful for the said Commissioners of the Treasury, and they are hereby authorized from time to time to direct to be issued to the said Paymasters, by way of Imprest and upon Account, such Sums of Money and at such Periods as the said Commissioners shall think necessary, for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills, and for and towards the Charge of exchanging and circulating the same Bills, or any of them.

XIII. And be it further enacted, That on the Twenty fifth Day of *March* One thousand eight hundred and twenty eight, or within

Account of Exchequer Bills to be taken.

Ten Days after, the said Commissioners of the Treasury, or any Three or more of them now being, or the Lord High Treasurer, or any Three or more of the said Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland* for the Time being, shall cause a true and perfect Account in Writing to be taken, and attested by the proper Officers, of the Amount of all Exchequer Bills that shall have been issued by virtue of this Act, and how much thereof shall before that Time have been paid off or discharged, and how much thereof shall then remain undischarged.

XIV. And be it further enacted and declared, That the Monies so remaining unsatisfied or not discharged, with the Interest due or to grow due thereon, and the Charges of exchanging and circulating the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament after the said Twenty fifth Day of *March* One thousand eight hundred and twenty eight.

Money due on Exchequer Bills to be paid out of the next Aids.

XV. And be it further enacted, That the Surplus of the Monies arising from the Rates, Duties, and Assessments granted and imposed by this Act, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall, as the Surplus of any such Monies respectively shall be paid into the Receipt of the Exchequer at *Westminster*, be carried to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Surplus Monies to be carried to Consolidated Fund.

XVI. Provided also, and be it enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them now being, or the said Lord High Treasurer, or any Three or more of the said Commissioners of the Treasury for the Time being, and he or they is and are hereby authorized and empowered to pay and allow, or cause to be paid and allowed, out of the Monies to arise of or for the said Rates and Duties hereby granted, or of or for the said Consolidated Fund, from time to time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

The Treasury to allow out of the Consolidated Fund the necessary Charges of making forth new Exchequer Bills;

XVII. Provided always, and be it enacted, That whatever Monies shall be issued out of the said Consolidated Fund shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

to be replaced out of the first Supplies.

XVIII. Provided always, and be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

Act may be altered or repealed this Session.

C A P. VIII.

An Act for more conveniently paying the Pensions of Widows of Officers of the Royal Marines. [2d April 1827.]

Powers of
49G.3. c.45. as
to Half Pay of
Royal Marine
Officers, shall
extend to Pen-
sions of Wi-
dows of such
Officers.

Two Commis-
sioners of the
Admiralty em-
powered to act.

‘ WHEREAS the Pensions to Widows of Royal Marine Officers, heretofore payable by the Paymaster General of His Majesty’s Forces, are henceforth to be paid by the Paymaster of Royal Marines; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all the Powers, Duties, Exemptions, Regulations, and other Enactments, which by an Act passed in the Forty ninth Year of King George the Third, intituled *An Act for more conveniently paying of Allowances on the Compassionate List of the Navy, and of Half Pay to Officers of the Royal Marines*, are provided with regard to the Half Pay of Royal Marine Officers, shall attach and take effect with regard to the Pensions of Widows of Royal Marine Officers; and that all Matters and Things which under the said Act would have been Offences, if committed with regard to the said Half Pay, shall, if committed with regard to the said Pensions, be deemed Offences of the same respective Natures, and be punishable with the same respective Penalties, as if they had been committed with regard to the said Half Pay: Provided always, that all Matters which by the said Act are required to be done by Three or more of the Commissioners for executing the Office of Lord High Admiral of Great Britain, may be done by any Two or more of such Commissioners; and provided also, that the Remittance Bill for the said Pensions shall be in the Form or to the Effect following; *videlicet*,

‘ No.

Day of 18 .

‘ Sir,

Form of Re-
mittance Bill.

‘ PAY to (Widow of
late a in the Royal Marines,) on her producing
and delivering the Duplicate hereof, the Sum of
being for the Pension payable to her as such Widow on
the Day of last, if the same be
demanded within Six Calendar Months from the Date hereof,
otherwise you are to return this Bill to the Paymaster of Royal
Marines, at his Office in London.

‘ Signed

Paymaster.

‘ Attested by

[Description.]

‘ To

‘ The Receiver General of the Land Tax for the County of
‘ The Collector of the Customs at the Port of
‘ The Collector of the Excise at
‘ The Clerk of the Cheque at

‘ By virtue of the Act 8th George 4th.

‘ N. B.

' N. B. The forging of this Remittance Bill, or procuring any
' other Person to forge the same, in order to receive any Part
' of the Monies hereby payable, is made Felony by the Acts
' 49th George 3^d and 8th George 4th.'

C A P. IX.

An Act to repeal an Act of the Twenty eighth Year of His late Majesty, for the better Regulation of the Manufacture of Ounce Thread. 28 G. 3. c. 17.
repealed.
[2d April 1827.]

C A P. X.

**An Act to enable His Majesty to make further Provision for
Their Royal Highnesses the Duke and Duchess of
*Clarence.*** [2d April 1827.]

“ His Majesty may grant an Annuity of 3,000*l.* to His Royal
 “ Highness the Duke of *Clarence*, to commence from *January 5.*
 “ 1827, and to be payable quarterly. § 1. Also an Annuity of
 “ 6,000*l.* to the Duchess of *Clarence*, to commence at the same
 “ Time, and to be payable in like Manner. § 2. The Annuities
 “ to be payable out of the Consolidated Fund. § 3.—and to be
 “ free of all Charges. § 4.

C A P. XI.

An Act to continue, until the Twenty fifth Day of *July* One thousand eight hundred and twenty eight, an Act of the Fifty fourth Year of His late Majesty, for rendering the Payment of Creditors more equal and expeditious in *Scotland*. [2d *April* 1827.] 54 G.S. c. 137.

C A P. XII.

An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in *Ireland*. [2d April 1827.]

WHEREAS by an Act passed in the First Year of His present Majesty's Reign, for amending several Acts for the Advance of Money for carrying on Public Works, and for other Purposes in *Ireland*, certain Provisions were made for the Employment of certain Sums of Money in aid of divers Public Works in *Ireland*, in the said Act mentioned, under the Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and under certain Presentments and Estimates in the said Act mentioned, provided that no Order for the Payment of Money under such Presentments and Estimates should be made after the Expiration of Five Years from the passing of the said Act: And Whereas by an Act passed in the Third Year of His present Majesty's Reign, for the authorizing certain temporary Advances of Money for the Relief of the Distresses existing in *Ireland*, it was among other Things enacted, that it should be lawful for the Lord Lieutenant or other Chief Governor or

6 G.4. c.35.

6 G.4. c.101.

Lord Lieutenant may advance Money for Public Works, not exceeding 100,000*l*.

‘ or Governors of *Ireland*, to order further Advances to be made
 ‘ for the Repairs of Roads, or for other Public Works, and that
 ‘ such Advances might be made at any Time before the Assizes
 ‘ next after the passing of the said Act : And Whereas by an Act
 ‘ made in the Sixth Year of His present Majesty’s Reign, intituled
 ‘ *An Act to render more effectual the several Acts for authorizing*
 ‘ *Advances for carrying on Public Works, so far as relates to Ireland,*
 ‘ it was enacted, that there might be issued out of the Consolidated
 ‘ Fund, by the Lord Lieutenant, or other Chief Governor or Go-
 ‘ vernors of *Ireland*, any Sum or Sums of Money not exceeding
 ‘ in the Whole the Sum of Three hundred thousand Pounds
 ‘ *British Currency*, for the Purposes and under the Regulations
 ‘ in the said Act mentioned and contained : And Whereas by
 ‘ another Act made in the Sixth Year of His present Majesty’s
 ‘ Reign, to provide for the repairing, making, and keeping in
 ‘ repair certain Roads and Bridges in *Ireland*, it was among
 ‘ other Things enacted, that any Order or Orders for the Payment
 ‘ of any Money under any such Presentment or Estimate, in
 ‘ respect of Roads or Public Works, as in the said Act of the
 ‘ First Year of His present Majesty’s Reign are mentioned, should
 ‘ and might be made at any Time within One Year next after the
 ‘ Time limited by the said Act of the said First Year ; and it is
 ‘ expedient that a further Sum of Money should be applied to
 ‘ the Purposes of the said Act of the First Year of His Majesty’s
 ‘ Reign, and that further Time should be allowed for effectuating
 ‘ the Purposes of the said Act ;’ Be it therefore enacted by the
 King’s most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in
 this present Parliament assembled, and by the Authority of the
 same, That at any Time after the passing of this Act, by or out of
 such Monies as shall at any Time or Times remain in the Receipt
 of the Exchequer in *Ireland*, or out of the growing Produce of
 the Consolidated Fund of the United Kingdom of *Great Britain*
 and *Ireland*, arising in *Ireland*, it shall and may be lawful to and
 for the Lord Lieutenant, or other Chief Governor or Governors
 of *Ireland* for the Time being, to order such further Advances
 and to issue such Sums of Money as he or they shall think
 necessary, not exceeding in the Whole the Sum of One hundred
 thousand Pounds, to any Treasurer of any County or County of
 a City, or County of a Town in *Ireland*, for the making or repairing
 of Roads, or for any other Public Works, and that any such
 Advance may be made accordingly ; and that any Order or
 Orders for the Payment of any Money under any such Pre-
 sentment or Estimate as are mentioned in the said recited Act
 of the First Year of His present Majesty’s Reign, shall and may
 be made at any Time within Two Years next after the passing of
 this Act ; and that all such Advances and Orders shall be made
 under and according to the Directions contained in the said
 recited Acts of the First and Third Years of His present Majesty’s
 Reign ; and that all the Provisions in the said Acts contained
 shall be extended to this Act, except only so much of the said
 Act of the Third Year of His present Majesty’s Reign as provides
 that such Advances may be made, although any Presentment
 may not have been made for such Purposes.

II. And

II. And be it further enacted, That no more than the Sum of Two hundred thousand Pounds in the Whole shall be issued and applied to the Purposes and under the Regulations of the said first-recited Act of the Sixth Year of His present Majesty's Reign, instead of the Sum of Three hundred thousand Pounds in the said Act mentioned; any thing contained in the said recited Act to the contrary in anywise notwithstanding.

200,000*l.* only to be advanced in the Whole, instead of 300,000*l.*

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, out of the said Sum of One hundred Thousand Pounds, to issue and make Advances on account of any Presentment or Estimate made at any Time before the passing of this Act, under the Provisions of the said recited Acts of the First or Sixth Year of His Majesty's Reign, in Cases where the Advances authorized to be made according to the Provisions of the said recited Acts shall not have been made or completed.

Such Advances may be issued on Presentments made before the passing of this Act.

IV. And be it further enacted, That in any Case in which any Loan or Advance shall have been made for any Public Work in *Ireland*, under the Authority of any of the Acts hereinbefore recited, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, out of the said Sum of One hundred thousand Pounds, to issue and advance any further Sum or Sums of Money, if he or they shall think fit so to do, for or towards the Completion of such Public Work, upon adequate Security for the Payment of such Sum or Sums and the Interest thereof, by such Instalments and at such Times as shall be required: Provided always, that no such Advance shall be made in any Case where the Party applying for the same shall not have paid the Interest, and the several Instalments due on any such former Loan or Advance, when and as the same shall respectively have become due and payable.

Lord Lieutenant may make further Advances, provided the Interest and Instalments on former Advances have been paid.

C A P. XIII.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively. [12th April 1827.]

[*This Act is the same, except as to Dates, as 7 G. 4. c. 3.*]

C A P. XIV.

An Act for fixing, until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight, the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers. [12th April 1827.]

' **W**HEREAS by an Act passed in the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, it is (amongst other Things) enacted, that Officers and Soldiers shall be furnished with Diet and Small Beer, upon paying and allowing for the same the several Rates that are or shall be established by any Act or Acts of Parliament; and an Option is given to Innholders
' and

7 & 8 G.4. c.4.

Allowance for
the Diet of
Noncommis-
sioned Officers
and Soldiers,
1s. per Day.

and Soldiers,
1s. per day.

Allowance of
One Half-
penny per
Diem for cer-
tain Articles
furnished in
lieu of Diet
and Small
Beer.

For Horses
10d. per Day
for Hay and
Straw.

Regulation
with respect to
dieting Non-
commissioned
Officers and
Soldiers on
their March.

‘ and others upon whom Officers and Soldiers are quartered and billeted, to furnish certain Articles *gratis* in lieu of Diet and Small Beer; and it is just and expedient that an adequate Allowance shall be made and established for Provision and other Articles furnished to Officers and Soldiers;’ May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Noncommissioned Officer and Private Soldier who shall be furnished with Diet and Small Beer, within those Parts of the United Kingdom specified in the said recited Act, by the Innholders or other Persons on whom such Noncommissioned Officers or Private Soldiers shall be quartered and billeted by virtue of this Act shall pay and allow for the same the Sum of One Shilling *per Diem*; and that for such Allowance of One Shilling, the Innholder or other Person shall furnish One Meal; *videlicet*, a hot Dinner, if required, in each Day to each Noncommissioned Officer, Trumpeter, Drummer, and Private Soldier quartered and billeted on him, to consist of such Quantity of Diet and Small Beer as have been or shall be specified and fixed in and by any Regulations made or to be made from time to time by His Majesty in that Behalf, but not to exceed One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables previous to being cooked, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper; and that the Accounts of the same shall be rendered, and Payment thereof made, in like Manner as is directed by the said Act.

II. And be it further enacted, That in case any Innholders or other Persons on whom any Noncommissioned Officers or Private Men shall be quartered within the aforesaid Parts of the United Kingdom, shall, by virtue of the said Option in the said Act, furnish such Noncommissioned Officers or Soldiers with the Articles therein mentioned, in lieu of furnishing Diet and Small Beer at the Rates prescribed by this Act, such Innholders or other Persons on whom such Noncommissioned Officers or Soldiers are quartered, and by whom the said Articles shall have been so supplied, shall receive in consideration thereof One Halfpenny *per Diem* for each Noncommissioned Officer and Soldier; which Sum of One Halfpenny *per Diem* shall be accounted for and paid in like Manner as is directed touching the Rates aforesaid.

III. And be it further enacted, That the Sum to be paid to the Innholder or other Person within the aforesaid Parts of the United Kingdom, on whom any of the Horses belonging to His Majesty’s Forces shall be quartered by virtue of the said Act, for Hay and Straw, shall be Ten Pence *per Diem* for each Horse.

IV. And be it further enacted, That all Noncommissioned Officers and Soldiers shall be entitled to receive their Diet and Small Beer from the Innholders or other Persons on whom they may be billeted, within the aforesaid Parts of the United Kingdom, at the Rates hereinbefore prescribed, while on the March, as also on and for the Day of their Arrival at the Place of their final

final Destination, and on the Two subsequent Days, unless either of the Two subsequent Days shall be a Market Day in and for the Town or Place where such Officers or Soldiers shall be billeted, or within the Distance of Two Miles thereof; in which Case it shall be lawful for the Innholder or other Person as aforesaid to discontinue on and from such Market Day the Supply of Diet and Small Beer, and to furnish in lieu thereof the Articles in the said recited Act specified, and at the Rates hereinbefore prescribed.

V. Provided always, That if any Victualler or other Person liable by the said recited Act to have Soldiers billeted or quartered on him or her shall pay any Sum or Sums of Money to any Noncommissioned Officer or Soldier on the March, in lieu of furnishing in Kind the Diet and Small Beer to which such Noncommissioned Officer or Soldier is entitled under the said Act, every such Victualler or other Person may be proceeded against and fined in like Manner as if he or she had refused to furnish or allow, according to the Directions of the said recited Act, the several Things respectively directed to be furnished to Noncommissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid.

Persons paying Money to Soldiers on the March, in lieu of furnishing Diet and Small Beer, liable to be fined.

VI. Provided also, and be it further enacted, That if any Regiment, Troop, Company, or Detachment, when on the March, shall be halted, either for a limited or indefinite Time, at any intermediate Place, the Noncommissioned Officers and Soldiers belonging thereto shall be entitled to receive their Diet and Small Beer from the Persons on whom they shall be billeted at such intermediate Place, for such Time only for which they would be entitled to receive the same after arriving at the Place of their final Destination, according to this Act.

Soldiers entitled to Diet and Small Beer when halted on a March, as they would be after arriving at their Destination :

VII. Provided, nevertheless, That whenever it shall happen that any Regiment, Troop, Company, or Detachment, when on their March, shall be halted, and it shall appear by the Marching Orders that it is not intended that such Regiment, Troop, Company, or Detachment shall halt for any longer Time than One entire Day after the Day of their Arrival at the Place of halting, and the Day after such Arrival shall be such Market Day as aforesaid, it shall not be lawful for the Innholders or other Persons on whom the Noncommissioned Officers and Soldiers shall be billeted, to discontinue on such Market Day the Supply of Diet and Small Beer to any such Officers or Soldiers; but that all such Officers and Soldiers shall be entitled to receive their Diet and Small Beer from such Innholders and other Persons aforesaid, upon such Market Day as aforesaid, at the Rates hereinbefore prescribed, in like Manner as they would have been entitled thereto if such Day had not been a Market Day; any thing hereinbefore contained to the contrary thereof notwithstanding.

and if such Halting be only for a Day after Arrival, and that be a Market Day, their Diet and Small Beer not to be discontinued.

VIII. And be it further enacted, That all Noncommissioned Officers and Private Men, employed in recruiting, and the Recruits by them raised, shall, while on the March, and for Two Days after the Day of their Arrival at any Recruiting Station, be entitled to the same Benefits as are hereinbefore provided in regard to Troops upon the March; but no Recruit enlisted after the

Regulations respecting Recruiting Parties and Recruits on their March.

the Two Days subsequent to the Arrival of the Party at their Recruiting Station shall be entitled to be supplied with Diet and Small Beer at the Rates hereinbefore prescribed, except at the Option of the Person on whom he shall be quartered: Provided also nevertheless, that in case any such Recruiting Party, with the Recruits by them raised, shall remove from their Station, and after a Time shall return to the same Place, they and the Recruits by them raised, so returning, shall not be again entitled to the Supply of Diet and Small Beer for such Two Days as aforesaid, unless the Period between the Time of their Removal from such Place, and their Return thereto, shall have exceeded Twenty eight Days.

Continuance of
Act.

IX. And be it further enacted, That this Act shall have continuance and be in force from the Twenty fourth Day of *March* One thousand eight hundred and twenty seven, until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight; and that all Payments which have been made, and all Acts, Matters, and Things done in pursuance of, or in conformity with, the Provisions thereof, shall be as good, valid, and effectual to all Intents and Purposes, as if this Act had passed before the said Twenty fourth Day of *March* One thousand eight hundred and twenty seven.

Act may be
altered this
Session.

X. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this Session of Parliament.

C A P. XV.

An Act for declaring the Law in relation to Bills of Exchange and Promissory Notes becoming payable on *Good Friday* or *Christmas Day*. [12th April 1827.]

39 & 40 G. 3.
c. 42.

WHEREAS an Act was passed in the Thirty ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act for the better Observance of Good Friday in certain Cases therein mentioned*; and it was thereby enacted, that where Bills of Exchange and Promissory Notes became due and payable on *Good Friday*, the same should, from and after the First Day of *June* then next ensuing, be payable on the Day before *Good Friday*; and that the Holder or Holders of such Bills of Exchange or Promissory Notes might note and protest the same for Nonpayment on the Day preceding *Good Friday*, in like Manner as if the same had fallen due and become payable on the Day preceding *Good Friday*; and that such Noting and Protest should have the same Effect and Operation at Law as if such Bills and Promissory Notes had fallen due and become payable on the Day preceding *Good Friday*, in the same Manner as was usual in the Cases of Bills of Exchange and Promissory Notes coming due on the Day before any Lord's Day, commonly called *Sunday*, and before the Feast of the Nativity or Birth-day of our Lord, commonly called *Christmas Day*: and Whereas, notwithstanding the said recited Act, and notwithstanding the general Custom of Merchants, Doubts have arisen whether Notice of the Dishonour of Bills of Exchange and

and Promissory Notes falling due on any *Good Friday* or on any *Christmas Day*, should not be given on such *Good Friday* or *Christmas Day* respectively, and whether in Cases where Bills of Exchange and Promissory Notes fall due on the Day preceding any *Good Friday* or *Christmas Day*, Notice of the Dishonour thereof should not be given on the *Good Friday* or the *Christmas Day* next after the same Bills of Exchange and Promissory Notes so fall due; and it is expedient that such Doubts should be removed; Be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Tenth Day of *April* One thousand eight hundred and twenty seven, in all Cases where Bills of Exchange or Promissory Notes shall be payable, either under or by virtue of the said recited Act, or otherwise, on the Day preceding any *Good Friday*, or on the Day preceding any *Christmas Day*, it shall not be necessary for the Holder or Holders of such Bills of Exchange or Promissory Notes to give Notice of the Dishonour thereof until the Day next after such *Good Friday* or *Christmas Day*; and that whenever *Christmas Day* shall fall on a *Monday*, it shall not be necessary for the Holder or Holders of such Bills of Exchange or Promissory Notes as shall be payable on the preceding *Saturday*, to give Notice of the Dishonour thereof until the *Tuesday* next after such *Christmas Day*; and that every such Notice given as aforesaid, shall be valid and effectual to all Intents and Purposes.

Where Bills of Exchange, becoming due on the Day preceding *Good Friday* or *Christmas Day*, are dishonoured, Notice thereof may be given on the Day after such *Good Friday*, &c.

II. And Whereas similar Doubts have existed with respect to Bills of Exchange and Promissory Notes falling due upon Days appointed by His Majesty's Proclamation for solemn Fasts or Days of Thanksgiving, or upon the Day next preceding such Days respectively, and it is expedient that such Doubts should be removed; Be it therefore further declared and enacted, That from and after the said Tenth Day of *April* One Thousand eight hundred and twenty seven, in all Cases where Bills of Exchange or Promissory Notes shall become due and payable on any Day appointed by His Majesty's Proclamation for a Day of solemn Fast or a Day of Thanksgiving, the same shall be payable on the Day next preceding such Day of Fast or Day of Thanksgiving, and in case of Nonpayment, may be noted and protested on such preceding Day; and that as well in such Cases, as in the Cases of Bills of Exchange and Promissory Notes becoming due and payable on the Day preceding any such Day of Fast or Day of Thanksgiving, it shall not be necessary for the Holder or Holders of such Bills of Exchange and Promissory Notes to give Notice of the Dishonour thereof until the Day next after such Day of Fast or Day of Thanksgiving; and that whensoever such Day of Fast or Day of Thanksgiving shall be appointed on a *Monday*, it shall not be necessary for the Holder or Holders of such Bills of Exchange or Promissory Notes as shall be payable on the preceding *Saturday*, to give Notice of the Dishonour thereof until the *Tuesday* next after such Day of Fast or Day of Thanksgiving respectively; and that every such Notice, so given as aforesaid, shall be valid and effectual to all Intents and Purposes.

Bills of Exchange becoming due on Fast or Thanksgiving Days, to be payable on the Day next preceding such Fast or Thanksgiving Day.

Good Friday,
Christmas Day,
&c. as regards
Bills of Ex-
change, to be
treated as the
Lord's Day.

Act not to ex-
tend to Scot-
land.

III. And be it further enacted, That from and after the said Tenth Day of *April* One thousand eight hundred and twenty seven, *Good Friday* and *Christmas Day*, and every such Day of Fast or Thanksgiving so appointed by His Majesty, is and shall, for all other Purposes whatever, as regards Bills of Exchange and Promissory Notes, be treated and considered as the Lord's Day, commonly called *Sunday*.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called *Scotland*.

C A P. XVI.

An Act for applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty seven.

[12th *April* 1827.]

" 60,000*l.* from the *East India Company*; and 4,155,000*l.* pursuant to 3 G. 4. c. 51. & 4 G. 4. c. 22., shall be applied to the " Service of the Year 1827."

C A P. XVII.

An Act to extend the Provisions of an Act made in the Fifty seventh Year of King *George* the Third, for regulating the Costs of certain Distresses.

[28th *May* 1827.]

57 G. 3. c. 93.

Provisions of
recited Act
extended to
Distresses for
Taxes, Rates,
Tithes, &c.

' WHEREAS by an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the Costs of Distresses levied for Payment of small Rents*, certain Regulations are made with respect to the Costs and Charges of levying and disposing of such Distresses where the Sum demanded and due shall not exceed Twenty Pounds: And Whereas it is expedient that the said Act should be amended, by extending the same to Distresses for other Causes; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, all the Rules, Regulations, Clauses, Provisions, Penalties, Matters, and Things in the said Act contained, shall extend and be construed to extend, and shall be applied and put in execution, so far as the same are applicable and capable of being put in execution, with respect to any Distress or Levy which shall be made for any Land Tax, Assessed Taxes, Poor's Rates, Church Rates, Tithes, Highways Rates, Sewer Rates, or any other Rates, Taxes, Impositions, or Assessments whatever, in all Cases where the Sum demanded and due for or in respect of such Taxes, Rates, Tithes, Assessments, or Impositions shall not exceed the Sum of Twenty Pounds, and in all Cases where the whole of the several Sums sought to be levied by Distresses taken for different Purposes at the same Time shall not exceed the Sum of Twenty Pounds; and that such Costs and Charges, and no other, shall be taken and payable as the Costs and Charges of the Levy and Disposition of such Distresses; and that

that all such Proceedings shall and may be had and taken against any and every Person transgressing the Regulations of the said Act in the levying or distraining for any such Taxes, Rates, Impositions, or Assessments, and all such Persons shall be liable to and shall incur such and the like Penalties, as by the said Act are directed, required, and imposed with respect to Persons making any Distress for Rent contrary to the Directions of the said Act; and that in any Order or Judgment of any Justices before whom any Complaint shall be preferred in consequence of this Act, such Order shall be expressed to be made upon a Complaint for the Breach of the said recited Act as amended by this Act; and that the said recited Act and this Act shall be taken and construed together as One Act, to all Intents and Purposes whatsoever.

C A P. XVIII.

An Act to prohibit the setting of Spring Guns, Man Traps, and other Engines calculated to destroy human Life, or inflict grievous bodily Harm. [28th *May* 1827.]

WHEREAS it is expedient to prohibit the setting of Spring Guns and Man Traps, and other Engines calculated to destroy human Life, or inflict grievous bodily Harm; Be it therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any Person shall set or place or cause to be set or placed, any Spring Gun, Man Trap, or other Engine calculated to destroy human Life, or inflict grievous bodily Harm, with the Intent that the same or whereby the same may destroy or inflict grievous bodily Harm upon a Trespasser or other Person coming in contact therewith, the Person so setting or placing, or causing to be so set or placed, such Gun, Trap, or Engine as aforesaid, shall be guilty of a Misdemeanor.

II. Provided always, and be it further enacted, That nothing herein contained shall extend to make it illegal to set any Gin or Trap such as may have been or may be usually set with the Intent of destroying Vermin.

Provido for Traps for destroying Vermin.

III. And be it further enacted and declared, That if any Person shall knowingly and wilfully permit any such Spring Gun, Man Trap, or other Engine as aforesaid, which may have been set, fixed, or left in any Place then being in or afterwards coming into his or her Possession or Occupation, by some other Person or Persons, to continue so set or fixed, the Person so permitting the same to continue shall be deemed to have set and fixed such Gun, Trap, or Engine, with such Intent as aforesaid.

IV. Provided always, and be it further enacted, That nothing in this Act shall be deemed or construed to make it a Misdemeanor, within the Meaning of this Act, to set or cause to be set, or to be continued set, from Sunset to Sunrise, any Spring Gun, Man Trap, or other Engine which shall be set, or caused or continued to be set, in a Dwelling House for the Protection thereof.

Proviso for Guns, Traps, &c. set for the Protection of Dwelling Houses.

V. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall in any Manner affect

already commenced.

Not to extend to Scotland.

affect or authorize any Proceedings in any Civil or Criminal Court touching any Matter or Thing done or committed previous to the passing of this Act.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called *Scotland*.

C A P. XIX.

An Act to repeal an Act of the Sixth Year of His present Majesty, for regulating Vessels carrying Passengers to Foreign Parts. [28th May 1827.]

6 G. 4. c. 116.

repealed.

Proviso for Penalties already incurred, and Actions commenced.

‘ WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for regulating Vessels carrying Passengers to Foreign Parts*; and it is expedient to repeal the said Act; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby repealed.

II. Provided nevertheless, and be it enacted, That all Penalties, Fines, and Forfeitures heretofore incurred under the said Act, shall and may be prosecuted, sued for, and recovered; and that all Actions, Suits, Indictments, and Informations heretofore brought under and by virtue of the said Act, shall and may be proceeded with in such and the same Manner, to all Intents and Purposes, as if this present Act had not been made; any thing herein contained to the contrary notwithstanding.

C A P. XX.

An Act to regulate the Prosecution of fraudulent Bankrupts in *Scotland*. [28th May 1827.]

Persons accused of fraudulent Bankruptcy may be prosecuted in Court of Justiciary.

‘ WHEREAS it is expedient that the Court of Justiciary in *Scotland* should have Jurisdiction in Cases of fraudulent Bankruptcy; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to prosecute all Persons accused of fraudulent Bankruptcy in *Scotland*, before the High Court or any Circuit Court of Justiciary, by Indictment or Criminal Letters, and according to the same Form and Course of Proceeding as is used in regard to other Offences prosecuted before the said Courts; and the Judges of the said High Court and Circuit Courts are hereby authorized and empowered to try all Cases of fraudulent Bankruptcy, and to inflict such Punishment on Persons convicted thereof as it is now competent for the Lords of Session to award against Persons convicted of the said Crime.

Trustees or Creditors may prosecute.

II. Provided always, and be it enacted, That it shall and may be lawful for the Trustee appointed for the Management of the sequestrated Estate of any Bankrupt in *Scotland*, or any Creditor whose Claim has been received and has been duly ranked upon any such sequestrated Estate in the Sederunt Book kept by the Trustee,

Trustee, with the Concourse of His Majesty's Advocate for Scotland, to prosecute any such Offence before the High Court or any Circuit Court of Justiciary, without Prejudice always to the Title of the public Prosecutor to insist in all such Prosecutions.

C A P. XXI.

An Act to amend the Laws relating to the Duties of Postage in *Great Britain* and *Ireland*. [28th May 1827.]

WHEREAS by the Laws now in force imposing certain Rates of Postage in *Great Britain* and *Ireland* respectively, Letters conveyed by the Post from Places in *Great Britain* to Places in *Ireland*, or from Places in *Ireland* to Places in *Great Britain*, are, by reason of the separate Rates payable in each of those Parts of the United Kingdom, charged to a higher Amount upon the whole than Letters conveyed the same Distances in *Great Britain* would be charged: And whereas it is expedient that such Difference of Charge, affecting exclusively the Correspondence between *Great Britain* and *Ireland*, should no longer exist; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of July One thousand eight hundred and twenty seven, in lieu of all Duties of Postage granted and made payable under any Act or Acts in force in *Great Britain* and *Ireland* respectively, upon Letters so conveyed from either of these Parts of the United Kingdom to the other, there shall be levied and paid the like Rates of Postage, according to the Distances which such Letters are conveyed, as would be payable on the Conveyance of Letters from Place to Place in *Great Britain*, in addition to the separate Rates of Packet Postage now payable, and also to the several Rates of Duty payable under the Acts for building the *Menai* and *Conway* Bridges respectively; the whole being according to the Schedule (A) to this Act annexed.

II. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty seven, no other Packet Postage shall in any Case be demanded or paid or payable for Letters or Packets between *Great Britain* and *Ireland*, other than such as is specified and set forth in the Schedule (A.) to this Act annexed; and that from and after the said Fifth Day of July One thousand eight hundred and twenty seven, all Rates or Duties of Packet Postage between *Great Britain* and *Ireland*, under any Act or Acts passed at any Time before the passing of this Act, shall cease and determine, and shall be and are hereby repealed, and shall no longer be paid or payable; any thing in any Act or Acts to the contrary in anywise notwithstanding.

III. And Whereas certain Rates of Postage upon Letters and Packets conveyed by the Post to and from Places within *Ireland* were granted by an Act of the Fifty fourth Year of His late Majesty King George the Third, intituled *An Act to repeal certain Duties upon Letters and Packets sent by the Post within Ireland, and to grant other Duties in lieu thereof*; and such Rates of

From July 5, 1827, the Duties of Postage on Letters between *Great Britain* and *Ireland* shall be levied according to Schedule (A.)

All former Packet Postage between *Great Britain* and *Ireland* repealed.

54 G.S. c.119.

6 G. 4. c. 79.

Duties of
Postage in Ire-
land to be paid
in British Cur-
rency, accord-
ing to Schedule
(B)

Parliamentary
Proceedings
sent by Packet
to the Colonies
shall be charged
1½d. per Ounce.

Colonial Legis-
lative Proceed-
ings may be
sent to Great
Britain and Ire-
land, by Packet
Boats at the
Rate of 1½d. per
Ounce.

Postage were made payable in *Irish* Currency: And Whereas by an Act passed in the Sixth Year of His present Majesty's Reign intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of Great Britain and Ireland*, certain Provisions are made for the Payment of Sums under the Amount of Twelve Pence of the Currency of *Ireland*, by an equivalent Number of *British* Pence, Halfpence, and Farthings, some of which are not generally in Circulation in *Ireland*; and in order to avoid the Inconvenience of collecting the Rates of Postage in *Ireland* according to the Directions of the said last-recited Act, it is expedient that such Rates of Postage should be in future charged and collected in the Currency of the United Kingdom of *Great Britain* and *Ireland*; Be it therefore enacted, That the several Rates of Postage upon Letters and Packets sent and conveyed to and from Places within *Ireland*, which by the said hereinbefore recited Act of the Fifty fourth Year of the Reign of His said late Majesty are made payable, according to the several Amounts thereof, in *Irish* Currency, shall, from and after the said Fifth Day of *July*, be charged, levied, collected, and paid and payable, according to the several Amounts thereof, in the Currency and lawful Money of the United Kingdom of *Great Britain* and *Ireland*, according to the Schedule (B.) to this Act annexed.

IV. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, it shall be lawful for His Majesty's Postmaster General, and his Deputy and Deputies, to and for the Use of His Majesty, His Heirs, and Successors, to demand and receive for the Conveyance of printed Votes and Proceedings in Parliament, by Packet Boats, from *Great Britain* and *Ireland* to any of His Majesty's Colonies and Possessions beyond the Seas, after the Rate of One Penny Halfpenny, and no more, for every Ounce Weight thereof, and so in proportion, in lieu of any Sum payable under any Act or Acts in force immediately before the passing of this Act, any thing in any Act or Acts to the contrary notwithstanding; the same to be paid when the said printed Votes and Proceedings shall be put into the Post Office; provided every such printed Vote and Proceeding shall be without a Cover, or in a Cover open at the Sides; and that there be no Writing thereon other than the Superscription; and that there be no other Paper or Thing inclosed or concealed therein.

V. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, it shall and may be lawful for His Majesty's Postmaster General, and his Deputy and Deputies, in His Majesty's Colonies and Possessions beyond the Seas, to receive any Votes, Proceedings, or other Public Papers, printed by Order or under the Authority of the Legislative Assemblies of any such Colonies or Possessions, for Conveyance by Packet Boats to *Great Britain* and *Ireland*; and for His Majesty's Postmaster General, and his Deputy or Deputies, in *Great Britain* and *Ireland*, to and for the Use of His Majesty, his Heirs, and Successors, to demand and receive for the Conveyance of every such Vote, Proceeding, or other printed Paper, after the Rate of One Penny Halfpenny for every Ounce Weight

Weight thereof, and so in proportion; to be paid on Delivery thereof to the Person or Persons to whom the same shall be addressed in *Great Britain* or *Ireland*; provided every such Paper shall be without a Cover, or in a Cover open at the Sides; and that there be no Writing thereon other than the Superscription; and that there be no other Paper or Thing inclosed or concealed therein.

‘VI. And Whereas Newspapers printed within His Majesty’s Colonies and Possessions beyond the Seas, brought into *Great Britain* and *Ireland* by Ships other than Packets, and sent to the Post Office of the Port or Place at which the Letters brought by such Ships are landed, are now liable to the same Rates and Duties of Postage as Letters; and it is expedient that the Law in this respect should be amended;’ Be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, it shall be lawful for His Majesty’s Postmaster General in *Great Britain* and *Ireland*, and for his Deputy and Deputies, for the Use of His Majesty, His Heirs, and Successors, to demand and receive, for the Conveyance of every such Paper by any Ship other than a Packet, and delivered by the Commander of any such Ship at any Post Office with the Ship’s Letters, the Sum of Three Pence, on the Delivery thereof to the Person or Persons to whom the same shall be addressed; provided every such Paper be sent without a Cover, or in a Cover open at the Sides; and that there be no Writing thereon other than the Superscription; and that there be no other Paper or Thing inclosed or concealed therein.

Newspapers brought into *Great Britain* and *Ireland* by Merchant Ships, from Abroad, shall be charged 3d. each.

VII. And be it further enacted, That it shall be lawful for His Majesty’s Postmaster General, and his Deputy or Deputies, to receive at the Port of *Falmouth* any Pamphlet, Magazine, Review, or other periodical Publication, for Conveyance by Packet Boat to any of His Majesty’s Colonies or Plantations; and to demand, have, receive, and take for the Conveyance of every such Pamphlet, Magazine, Review, or Publication, not exceeding Six Ounces in Weight, the Sum of One Shilling, and the further Sum of Three Pence per Ounce for any Weight beyond the Weight of Six Ounces; every Fraction of an Ounce to be charged as One Ounce: Provided always, that every such Pamphlet, Magazine, Review, and Publication be sent without a Cover, or in a Cover open at the Sides; and that there be no Writing thereon other than the Superscription; and that there be no other Paper or Thing inclosed or concealed therein.

Pamphlets, &c. may be conveyed to the Colonies by the Packets.

‘VIII. And Whereas Letters from or to any Place in *Great Britain*, sent to or directed from *Howth* near *Dublin*, or *Dunmore* near *Waterford*, are contained in the Mails landed at or dispatched from *Dublin* and *Waterford* respectively, and are carried in such Mail to and from *Dublin* and *Waterford*, from and to *Howth* and *Dunmore*, and are by such means subject to increased Postage, although no Benefit is derived from such Conveyance;’ Be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, Letters and Packets from or to any Place in *Great Britain*, directed to or sent from *Howth* or *Dunmore*, or within the Delivery and Vicinity thereof respectively, shall not be chargeable with or subject or liable to any Increase of Postage in respect of

Letters to and from *Howth* and *Dunmore*, carried in the General Mail to or from *Dublin* or *Waterford*, shall not be charged with any increased Postage.

being so carried to or from *Dublin* or *Waterford*, nor to any other or greater Amount of Postage than according to the actual Distance between *Howth* and *Dunmore* respectively, and the Town or Place in *Great Britain* from or to which they shall be sent, according to the Rates specified in Table (A.) annexed to this Act.

Postage on Letters to or from Ireland paid in Great Britain, shall be applied to the Revenues of the Post Office there, and vice versa in Ireland.

IX. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, it shall and may be lawful for the Postmaster General of *Great Britain*, and he is hereby authorized and empowered, to apply to the Revenue of the Post Office of *Great Britain* the Amount of all Rates of Postage received in *Great Britain* upon Letters sent from or to *Ireland*; and that in like Manner it shall be lawful for the Postmaster General of *Ireland*, and he is hereby authorized and empowered, to apply to the Revenue of the Post Office of *Ireland* the Amount of all Rates of Postage received in *Ireland* upon Letters and Packets sent from or to *Great Britain*; and that all Sums so received shall be paid and applied as the Revenue of Postage arising in *Great Britain* or *Ireland* respectively; any thing in any Act or Acts, or any Law, Usage, or Custom, to the contrary notwithstanding.

So much of 24 G.S. Sess. 1. c. 6. and 55 G.S. c. 145. as respects Allowances to the Post Office in Ireland, repealed.

X. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, so much of an Act made in the Parliament of *Great Britain* in the Twenty fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing certain Regulations concerning the Portage and Conveyance of Letters and Packets by the Post between Great Britain and Ireland*, whereby it is enacted, that there shall be allowed in account from the General Letter Office or Post Office in *Great Britain* to the Revenue of the Post Office in *Ireland*, a Sum not exceeding Four thousand Pounds *per Annum*; and also an Act made in the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act to increase the Allowance to the Post Office in Ireland in respect of Packet Boats to Great Britain*, shall be and the same are hereby repealed.

Monies arising by the Postage Rates under this Act to be carried to the Consolidated Fund.

XI. And be it further enacted, That the Monies to arise by the several Rates and Duties made payable by this Act, except the Monies which shall be necessary to defray such Expence as shall be incurred in the Management and Collection of the same, shall be paid into the Receipt of the Exchequer at *Westminster* and *Dublin*, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Newspapers shall be sent by Post within Seven Days after Day of Publication.

XII. And be it further enacted, That from and after the passing of this Act, every printed Newspaper or other printed Paper liable to the Stamp Duty, and for the Conveyance of which any Duty of Postage is chargeable under any Act or Acts in force in *Great Britain* or *Ireland*, shall and may in all Cases be put into the Post Office or Receiving Office of or for the Town or Place in *Great Britain* or *Ireland* in or at which such Newspaper shall be published, on any Day within Seven Days next after the Day on which the same shall be published, the Day of Publication to be ascertained by the Date of such Paper, any thing in any Act to the contrary notwithstanding; and in case any such Paper shall

shall be put into any Post Office at any Time after the Expiration of such Seven Days, such Paper shall be charged with a Rate of Postage equal to that of a Single Letter sent by the Post from the Place where such Paper was published to the Place to which such Paper shall be addressed.

' XIII. And Whereas, by the Laws in force, Merchants' Accounts, Bills of Exchange, Invoices, Bills of Lading, and Proceedings at Law, written on one and the same Piece of Paper with a Letter, and also several Letters to several and distinct Persons, written upon one and the same Piece of Paper, are liable to be rated, taxed, and paid for as so many several and distinct Letters; and it is expedient that the Laws in this respect should be altered; Be it therefore enacted, That from and after the passing of this Act, all Merchants' Accounts, Bills of Exchange, Stamped Receipts, Invoices, Bills of Lading, and Proceedings at Law, written on one and the same Piece of Paper with a Letter, shall be allowed and taken without Rate in the Price of the Letter; and that any Piece or Sheet of Paper upon which Letters to several and distinct Persons shall be written, shall not be charged or chargeable with any higher Rate of Postage in *Great Britain* or *Ireland* than if One Letter only were written upon such Sheet or Piece of Paper; any thing in any Act or Acts to the contrary notwithstanding.

XIV. And for the more effectually preventing the Detention of Letters on board Ships and Vessels coming to *Great Britain* and *Ireland* from Parts beyond the Seas, and the Injury and Inconvenience resulting to Merchants and others therefrom, be it enacted, That it shall be lawful to and for any Person or Persons, thereunto duly authorized and appointed by the Postmaster General of *Great Britain* or by the Postmaster General of *Ireland*, to demand and receive from the Master, Commander, or other Person having the Charge of any Ship or Vessel arriving at or off any Port in *Great Britain* or *Ireland*, all such Letters and Packets on board the same as are not exempted by Law; and the Master or Commander, or other Person having the Charge of any such Ship or Vessel, is hereby required forthwith to deliver such Letters and Packets to the Person or Persons authorized to demand and receive the same; and it shall be lawful for the Master, Commander, or other Person having the Charge of such Ship or Vessel, to retain on board any Letters or Packets exceeding the Weight of Three Ounces, until his Arrival at the regular Port or Place of Discharge of such Vessel, any thing in any Act or Acts to the contrary notwithstanding; and in case any Letter or Packet not exceeding the Weight of Three Ounces, not being exempted by Law, shall be found on board any such Ship or Vessel, or in the Possession of the Master or Commander, or of any of the Passengers or Crew, at any Time after the Time when Letters shall have been demanded or delivered as aforesaid, every and any Penalty payable by Law in respect of Letters found in the Possession of the Master of any Ship or Vessel after delivering his Letters at the Post Office of any Port at which he may touch prior to his arriving at the Port where the Ship or Vessel is to report, or in the Possession of any of the Crew, or in the Possession or Baggage of any Passenger on board, shall attach and be payable in respect of every Letter or

Letters with Merchants' Accounts, &c., and Letters to more than One Person, on the same Paper, shall be charged only as single Letters.

For preventing the Detention of Letters on board Ships arriving in *Great Britain* from Foreign Parts.

Packet, not exceeding the Weight of Three Ounces, which shall be so found after such Demand and Delivery as is required by this Act; and every such Penalty shall be paid and payable by the Person or Persons in whose Possession or Baggage any such Letter or Packet shall be discovered, and may be sued for, recovered, and applied in such Manner as is directed with respect to such Penalties by any Act or Acts in force in *Great Britain* or *Ireland* relating to the Duties of Postage.

Letters to Officers of the Army, &c. not to be charged more on account of such Officers being removed.

XV. And be it further enacted, That whenever it shall happen that any Letter shall be addressed to any Commissioned Officer of the Army, Navy, or Ordnance, or any of the Departments belonging thereto respectively, at any Place where such Officer shall have been employed on actual Service, and that before the Delivery of such Letter such Officer shall have removed from such Place in the Execution of his Duty in the Public Service, such Letter shall not be charged with any Postage for the Conveyance of the same to any Place at which such Letter may be ultimately delivered, above or beyond the Rate of Postage payable for the same on Delivery at the Place to which such Letter was originally directed.

Powers of Acts relating to the Post Office extended to this Act.

XVI. And be it further enacted, That all the Powers, Provisions, Privileges, Advantages, Disabilities, Penalties, Forfeitures and Distribution thereof, and all Clauses and other Matters and Things contained in any Act or Acts in force at the Time of the passing of this Act, relating to the Post Office, or any Rates or Duties payable on the Port or Conveyance of Letters or Packets in *Great Britain* and *Ireland*, and not repealed or altered by this Act, shall, so far as the same are applicable, continue in force, and be applied and extended, and shall be construed to apply and extend to this present Act, and to the Rates and Duties hereby made payable, as fully and effectually to all Intents and Purposes as if the same had been particularly repeated and re-enacted in the Body of this Act.

Such Parts of 55 G.3. c.108. as except Great Britain, repealed.

XVII. Provided always, and be it enacted, That so much and such Parts of an Act made in the Fifty fifth Year of the Reign of His late Majesty, intituled *An Act to regulate the Postage of Ship Letters to and from Ireland*, as except or refer to *Great Britain*, shall be and the same are hereby repealed.

Penalties of 10*l.* under 58 G. 3. c. 58. relating to Irish Postage, declared in force.

XVIII. And Whereas by an Act made in the Fifty third Year of the Reign of His late Majesty King George the Third, among other Things, for making further Regulations for securing the Duties on Letters and Packets sent by the Post in *Ireland*, certain Penalties or Forfeitures of Ten Pounds are imposed for certain Offences against the said Act: And Whereas Doubts have arisen whether the said Penalties continue in force, and are recoverable according to the Directions of the said Act; Be it therefore declared and enacted, That the said Act, and the said Penalties thereby inflicted, are and shall remain and continue in force; and that such Penalties of Ten Pounds shall and may be recovered, on Conviction of the Offender, in manner by the said recited Act directed; any thing in any Act or Acts to the contrary notwithstanding.

Act may be altered.

XIX. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE (A.)

RATES of POSTAGE to be taken in the Currency of the United Kingdom for the Port and Conveyance of Letters and Packets by the Post from any Place in *Great Britain* to any Place in *Ireland*, or from any Place in *Ireland* to any Place in *Great Britain*.

DISTANCE.	Single Letter.	Double Letter.	Treble Letter, or other, under an Ounce Weight.	For every Ounce Weight, and for every Packet not exceeding an Ounce in Weight.
	s. d.	s. d.	s. d.	s. d.
If the Distance of such Places shall not exceed 15 Miles, British Measure -	0 4	0 8	1 0	1 4
If such Distance shall exceed } 15 { and shall not exceed } 20 { such Miles }	0 5	0 10	1 3	1 8
- 20 - 30 -	0 6	1 0	1 6	2 0
- 30 - 50 -	0 7	1 2	1 9	2 4
- 50 - 80 -	0 8	1 4	2 0	2 8
- 80 - 120 -	0 9	1 6	2 3	3 0
- 120 - 170 -	0 10	1 8	2 6	3 4
- 170 - 230 -	0 11	1 10	2 9	3 8
- 230 - 300 -	1 0	2 0	3 0	4 0
- 300 - 400 -	1 1	2 2	3 3	4 4
- 400 - 500 -	1 2	2 4	3 6	4 8
- 500 - 600 -	1 3	2 6	3 9	5 0
- 600 - 700 -	1 4	2 8	4 0	5 4
- 700 - - -	1 5	2 10	4 3	5 8
Letters and Packets conveyed by Packet Boats between the Ports of Portpatrick and Donaghadee, a Packet Postage over and above all other Rates -	0 4	0 8	1 0	1 4
Letters and Packets conveyed by Packet Boats from or to Holyhead or Milford Haven, to or from any Port in Ireland, a Packet Postage over and above all other Rates -	0 2	0 4	0 6	0 8
Letters and Packets conveyed by Packet Boats to or from Liverpool, from or to Dublin, or any other Port in Ireland, a Packet Postage over and above all other Rates -	0 8	1 4	2 0	2 8
Provided that no Letter sent by way of Liverpool shall be chargeable with a higher Rate of Postage than if it were sent by way of Holyhead.				
Letters and Packets to and from any Part of Great Britain or Ireland, by way of Dublin and Holyhead, in addition to all other Rates (Menai Bridge) -	0 1	0 2	0 3	0 4
Letters and Packets to and from any Part of Great Britain or Ireland, by way of Conway and Chester, in addition to all other Rates (Conway Bridge) -	0 1	0 2	0 3	0 4
And so in proportion in all the aforesaid Cases for any other Letter or Packet of greater Weight than an Ounce.				

SCHEDULE (B.)

RATES of POSTAGE to be taken in the Currency of the United Kingdom for the Port and Conveyance of Letters by the Post to and from Places within *Ireland*, instead of the Rates in *Irish* Currency under 54 Geo. 3. c.119.

For every Single Letter or Piece of Paper, from the Office in Ireland where such Letter or Piece of Paper shall be put in :				s.	d.
To any Distance within Ireland not exceeding } 7 Miles, Irish Measure - - - }				0	2
To any Distance } 7 { Miles, and not } 15 Miles exceeding } exceeding }				0	3
-	-	15	-	0	4
-	-	25	-	0	5
-	-	35	-	0	6
-	-	45	-	0	7
-	-	55	-	0	8
-	-	65	-	0	9
-	-	95	-	0	10
-	-	120	-	0	11
-	-	150	-	1	0
-	-	200	-	1	1
-	-	250	-	1	2
For every Distance of 100 Miles, Irish Measure, } above 300 Miles, a further Sum of - - }				0	1
And for the Port and Conveyance of any Double Letter, Double the said Sums respectively; and for every Treble Letter, Treble the said Sums respectively; and so in proportion for any greater Weight than One Ounce, reckoning every Quarter of an Ounce equal to a Single Letter.					

C A P. XXII.

An Act to continue for One Year, and until the End of the then next Session of Parliament, the Acts for the Relief of Insolvent Debtors in *Ireland*. [14th June 1827.]

[1 & 2 G. 4. c. 59. as amended by 3 G. 4. c. 124. continued as above.]

C A P. XXIII.

An Act to continue for One Year, and until the End of the then next Session of Parliament, an Act of the Sixth Year of His present Majesty, for providing for the repairing, maintaining, and keeping in repair certain Roads and Bridges in *Ireland*. [14th June 1827.]

[6 G. 4. c. 101. continued as above.]

C A P.

C A P. XXIV.

An Act to amend the Acts for regulating Turnpike Roads in England.
[14th June 1827.]

‘ **W**HEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And Whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and which said Acts require to be further explained and amended: And Whereas by the said first-recited Act it is among other Things provided and enacted, that no Person appointed as Trustee in or by virtue of any Act for repairing Turnpike Roads shall be capable of acting as such in the Execution of any such Act in any Case where he shall be personally interested; and Doubts have arisen with regard to such Person's Liability; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Trustee of any Turnpike Road shall be deemed or taken to be personally interested, by reason of his having acted as a Trustee in ordering the making, altering, or diverting any Turnpike Road over or contiguous to any Lands, Tenements, or Hereditaments in his Possession or Occupancy, or by reason of his having received any Sum or Sums of Money out of the Tolls of any such Road as or by way of Purchase Money, Damages, Rent, Recompence, or Satisfaction, agreed upon or awarded to such Trustee for any Lands, Tenements, or Hereditaments, or any Timber or Wood, or Materials, purchased or taken for the Purpose of making, diverting, or altering, or for the Use of the Road for which he shall act as a Trustee, or for a Repository for Materials to be used thereon, or for the Damage done to any inclosed or private Lands or Grounds of any such Trustee, in taking Materials therefrom, or in carrying or conveying them over the same.

II. And be it further enacted, That every Trustee who shall order or direct the Expenditure of any Money for or towards the making, repairing, or altering any Road not comprehended within the Act in the Execution of which he may be acting, or for or towards the Performance of any Act, Matter, or Thing not authorized by such Act or by the said recited Acts, such Trustee shall be personally liable to the Trust for the Repayment of the Money so expended, at the Suit of any Person, or any one Trustee, or of the Clerk to such Trustees, on behalf of such Trust; and that all the Costs and Charges of such Suit, over and above any Costs and Charges recovered from the Defendant in such Suit, shall be paid and borne by such Trust.

III. And be it further enacted, That no Trustee shall be personally subject or liable to be charged (except as next hereinbefore

Owners of Estates, &c. not to be disqualified as interested Persons.

Trustees personally liable for Money expended on Roads not in Trust.

No Trustee to be personally liable as such.

before mentioned) with the Payment of any Sum or Sums of Money laid out or expended in or towards the making, repairing, or altering any Turnpike Road, nor shall Execution issue against the Goods and Chattels of any Trustee, by reason of his having acted as such Trustee, or having signed or authorized or directed any Contract or Security to be entered into relating to any such Road, unless in such Contract or Security such Trustee shall have in express Words rendered himself so personally liable.

Treasurer and Clerk not to be the same Person.

IV. And be it further enacted, That it shall not be lawful for any Trustees to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of any Act for repairing or maintaining any Turnpike Road, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of such Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk for the Purposes of such Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of such Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of such Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Power to remove Toll Gates, &c.

V. And be it further enacted, That it shall be lawful for the Trustees of any Turnpike Road, and they are hereby authorized and empowered, from time to time, at any Special Meeting to be holden for that Purpose, of which Meeting public Notice, specifying the Time and Place for holding such Meeting and the Purpose thereof shall have been given in some Newspaper, published or circulated in the County or Counties through which such Turnpike Road passes, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Bars which shall be then standing on such Road, Fourteen Days previously to such Meeting, to order and direct any of such Turnpikes, Toll Gates, or Side Bars to be removed and placed elsewhere, upon, across, or by or on the Sides of such Road, in such Situations as to them the said Trustees may appear fit or eligible; subject always to the Provisoos and Restrictions contained in any Act for making or maintaining any such Turnpike Road.

VI. And

VI. And be it further enacted, That it shall be lawful for the Trustees to order and direct One or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses on the Road, and also to order and direct at what Times of the Year and during what Hours such Lamp or Lamps, or any of them, shall be kept lighted; and all and every the Collector and Collectors of the Tolls on such Road, and also all and every the Lessees or Lessee thereof, who shall neglect or omit to observe and fulfil the Order of the said Trustees in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Neglect or Omission; and in case any Person shall damage or injure any Lamp or Lamps to be placed and set up as aforesaid, or extinguish the Lights therein, such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Lamps to be
lighted at Toll
Houses.

VII. And be it further enacted, That if any Lands, Tenements, or Hereditaments which shall be purchased for the Purposes of any Act for making or maintaining Turnpike Roads, shall be in Mortgage to any Person, then and in such Case the Trustees shall and they are hereby required to pay or cause to be paid to the Mortgagee or Mortgagees, his, her, or their Executors, Administrators, or Assigns, upon Application in Writing made to the Trustees or their Clerk, signed by such Mortgagee or Mortgagees, his, her, or their Executors, Administrators, or Assigns, such Sum or Sums of Money as shall be agreed for, ascertained, and determined, for the Purchase of such Lands, Tenements, or Hereditaments, or a competent Part thereof; and such Sum or Sums of Money, when so paid, shall be and be deemed to be in discharge of the Principal Money, or Part thereof, due on such Mortgage or Mortgages, and Acknowledgment of the Receipt thereof shall be made by Endorsement on the Mortgage Deed or Deeds, signed by such Mortgagee or Mortgagees, his, her, or their Executors, Administrators, or Assigns, in the Presence of One or more credible Witness or Witnesses; and such Endorsement shall be and be deemed to be a full and sufficient Discharge to the Trustees from the Mortgagee or Mortgagees, his, her, or their Executors, Administrators, or Assigns, and also a full and sufficient Discharge to the Mortgagor or Mortgagors, his, her, or their Heirs, Executors, Administrators, or Assigns, from the Mortgagee or Mortgagees, his, her, or their Executors, Administrators, or Assigns, for so much Money as shall be expressed in such Endorsement.

For Payment
of Mortgages
on Land pur-
chased.

VIII. And be it further enacted, That so much of the said Act of the Third Year of the Reign of His present Majesty, as directs the Application of Compensation Money for Lands, Tenements, or Hereditaments purchased for the Purposes of any Act for making or maintaining Turnpike Roads, shall be and the same is hereby repealed.

Repeal of Pro-
visions respect-
ing Applica-
tion of Com-
pensation
Money.

IX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by the Trustees, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Infant, Lunatic, Tenant for Life or in Tail,

Application of
Compensation
when amount-
ing to 200*l*.

1 G. 4. c. 35.

Tail, General or Special, Feoffee in Trust, Guardian, Committee, Trustee, Feme Covert, or other incapacitated Person, such Monies shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing such Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of King *George the Fourth*, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and such Money, when so paid in, shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order to be made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so purchased, in case such Purchase or Settlement were made.

Application
when under
200*l.* and
above 20*l.*

X. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used, and belonging to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments

taments so purchased, taken, or used, or of his Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privy of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Trustees taking such Lands, Tenements, or Hereditaments, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends and Interest arising thereon, may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

XI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as hereinbefore mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Corporation or Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used in such Manner as the Trustees taking such Lands, Tenements, or Hereditaments shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then to his Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person so entitled respectively.

When less than 20*l*.

XII. And be it further enacted, That in case the Corporation or Person to whom any Sum or Sums of Money shall be awarded, for the Purchase of any Lands, Tenements, or Hereditaments, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the Trustees, or in case the Person to whom such Sum or Sums of Money shall be so awarded cannot be found, or if the Person entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or

In case of not making out Title, or Persons not being found.

Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money (mentioning and specifying for what and for whose Use the same is or are received) to such Person as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Persons in possession presumptively entitled.

XIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation or Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, or of any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid.

XIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Corporation or Person entitled to any Lands, Tenements, or Hereditaments, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Trustees taking any such Lands, Tenements, or Hereditaments, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Justices to award for Materials no larger Sum than they could actually be sold for.

XV. Provided always, and be it enacted, that the Trustees shall not be required to pay any larger Sum as a Satisfaction for any Materials raised, taken, or carried away from any Lands or Grounds, for making or repairing any Turnpike Road, than such Sum of Money as it shall appear to the Two Justices settling and determining such Satisfaction that such Materials might or could have been actually sold for in case the same had not been raised, taken, or carried away by such Trustees; and in case the said Justices shall be of Opinion that the said Materials, before they had been so raised, taken, or carried away, could not have been sold or disposed of, then the said Justices shall only assess the Damage done to the Lands or Grounds of the Owners or Occupiers thereof, by the raising, gathering, or carrying away the same.

XVI. And

XVI. And be it further enacted, That if any Person shall injure, damage, incumber, ride upon, drive upon, or otherwise use any public Footpath or Causeway, by the Side of and adjacent to any Turnpike Road, to the Prejudice, Annoyance, Interruption, or personal Danger of any Person travelling thereon, every Person so offending shall be liable to the same Penalties in respect of such Offences as by the Acts hereinbefore recited are imposed in respect of such Offences, whether such Footpath or Causeway be made, maintained, and repaired by the Trustees of the Turnpike Road thereunto adjoining, or by the Inhabitants of the Parish wherein such Footpath or Causeway is situated, or by any other Person whatever.

Persons injuring Footpaths liable to the Penalties of recited Acts, whether repaired by Trustees of the Road or by the Parish.

XVII. And be it further enacted, That where any Part or Parts of any Turnpike Road, or any Bridges, Arches, Drains, or Sewers lying in and upon such Road, have been accustomed or ought to be repaired and maintained by any particular Person, Body Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise, or by any County or any Parish, or where any Composition has been entered into or made in lieu thereof, all and every such Part or Parts of such Road, and all such Bridges, Arches, Drains, and Sewers, shall from time to time be maintained and kept in repair by such Person, Body Politic and Corporate, County or Parish, or such Composition shall be paid, in such Manner as the same were respectively maintained and kept in repair or paid before the passing the said recited Acts, or of any Local Act for making or maintaining any Turnpike Road.

Lands liable to Repair of Roads, Bridges, &c. to continue so.

XVIII. And be it further enacted, That all Mines of Iron, Tin, Lead, Copper, Coal, and other Minerals whatsoever, which shall be discovered or found in or under any Land to be used for any Turnpike Road, shall be and they are hereby reserved to the Person, Body Politic, Corporate or Collegiate, who would have been seized of or entitled to the same in case the Act for making such Road had not been passed, with Liberty for him, or his Agents or Servants, to dig for, mine, and work the same, in such Manner as is usual for carrying on Works of that Kind in the County, District, or Place where such Mines shall be found, in as full and ample a Manner as if the said Land had not been taken and appropriated for the Purposes aforesaid, so that in the working thereof no Damage shall be done to such Road or any Part thereof.

Minerals under Road to belong to original Proprietors of Land.

XIX. And be it further enacted, That the Word Trustees in the said recited Acts or any of them, or in this Act, shall be deemed and construed to extend to all or any of the Trustees or Commissioners appointed for the Execution of any Act or Acts for making, amending, repairing, maintaining, or keeping in repair any Turnpike Road; and the Word Person in the said recited Acts or any of them, or in this Act, shall be deemed and construed to extend to and to include any One or more Person or Persons, and of either Sex; and that the Word County in the said recited Acts or any of them, or in this Act, shall be deemed and construed to extend to and to include Riding or Division; and that the Word Parish in the said recited Acts or any of them, or in this Act, shall be deemed and construed to extend to and to include Ward, District, Hamlet, Township, or Place.

Explanation of Words in Act.

Extending
Powers of
former Acts.

XX. And be it further enacted, That all the Powers, Authorities, Clauses, Provisions, Penalties, Forfeitures, Matters, and Things contained in the said Acts of the Third and Fourth Years of the Reign of His present Majesty, shall, so far as the same are not altered or varied by this present Act, extend and be construed to extend to this Act, and shall be applied and put in execution as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, and made Part thereof.

C A P. XXV.

An Act for the Relief of certain Spiritual Persons and Patrons of Ecclesiastical Preferments, from certain Penalties; and rendering valid certain Bonds, Covenants, or other Assurances for the Resignation of Ecclesiastical Preferments.

[14th June 1827.]

31 ENZ. c. 6.

‘ WHEREAS by an Act made and passed in the Thirty first Year of the Reign of Her late Majesty Queen *Elizabeth*, intituled *An Act against Abuses in Elections of Scholars and Presentations to Benefices*, it is enacted in the Words or to the Effect following; to wit, “ For the avoiding of Simony and Corruption in Presentations, Collations, and Donations of and to Benefices, Dignities, Prebends, and other Livings and Promotions Ecclesiastical, and in Admissions, Institutions, and Inductions to the same, be it further enacted by the Authority aforesaid, that if any Person or Persons, Bodies Politic and Corporate, shall or do at any Time after the End of Forty Days next after the End of this Session of Parliament, for any Sum of Money, Reward, Gift, Profit, or Benefit, directly or indirectly, or for or by reason of any Promise, Agreement, Grant, Bond, Covenant, or other Assurance, of or for any Sum of Money, Reward, Gift, Profit, or Benefit whatsoever, directly or indirectly present or collate any Person to any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, or give or bestow the same for or in respect of any such corrupt Cause or Consideration, that then every such Presentation, Collation, Gift, and Bestowing, and every Admission, Institution, Investiture, and Induction thereupon, shall be utterly void, frustrate, and of none Effect in Law; and that it shall and may be lawful to and for the Queen’s Majesty, Her Heirs and Successors, to present, collate unto, or give or bestow every such Benefice, Dignity, Prebend, and Living Ecclesiastical, for that One Time or Turn only; and that all and every Person or Persons, Bodies Politic and Corporate, that from thenceforth shall give or take any such Sum of Money, Reward, Gift, or Benefit, directly or indirectly, or that shall take or make any such Promise, Grant, Bond, Covenant, or other Assurance, shall forfeit and lose the double Value of One Year’s Profit of every such Benefice, Dignity, Prebend, and Living Ecclesiastical; and the Person so corruptly taking, procuring, seeking, or accepting any such Benefice, Dignity, Prebend, or Living, shall thereupon and from thenceforth be adjudged a disabled Person in Law to have or enjoy the same Benefice, Dignity,

‘ Dignity, Prebend, or Living Ecclesiastical:’ And Whereas since the passing of the said Act many Spiritual Persons or others, before or after the Presentation or Collation or Appointment by Donation, of Spiritual Persons to Spiritual Offices, being Benefices with Cure of Souls, Dignities, Prebends, or Livings Ecclesiastical, have made, given, or entered into certain Engagements by Promise, Agreement, Grant, Bond, Covenant, or other Assurance, to or with the Patron or Patrons of such Spiritual Offices, or to or with some other Person or Persons, for the Resignation of such Spiritual Offices, to the Intent or Purpose that some Person specially named or described in such Engagement, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Offices respectively, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified by Age or otherwise to accept and take the same: And Whereas it has lately been adjudged and determined at Law that such Engagements as aforesaid come within the Intent and Meaning of the said recited Act: And Whereas the Spiritual Persons and Patrons, and other Persons, who have been Parties to such Engagements, will suffer great Hardship and Detriment unless they be relieved from the Pains, Penalties, Forfeitures, Loss, or Disabilities to which they have erroneously, but without having wilfully acted in contravention of the said recited Act, rendered themselves liable, by reason of having given or entered into, or accepted or taken such Engagements; For remedy thereof, be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Presentation, Collation, Gift, or Bestowing of any such Spiritual Office to or upon any Spiritual Person, before the Ninth Day of April in the present Year of our Lord One thousand eight hundred and twenty seven, nor any Admission, Institution, Investiture, or Induction thereupon, shall be void, frustrate, or of no effect in Law, for or by reason of any such Engagement made, given, or entered into by such Spiritual Person, or any other Person or Persons, to or with the Patron or Patrons of such Spiritual Office, or to or with any other Person or Persons, for the Resignation of the same, to the Intent or Purpose manifested by the Terms of such Engagement, that some Person specially named or described therein, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Office, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request, or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified, by Age or otherwise, to accept and take the same; and that it shall not be lawful for the King’s most Excellent Majesty, His Heirs, or Successors, for or by reason of such Engagement as aforesaid, to present or collate unto, or give or bestow such Spiritual Office; and that such Spiritual Person, and Patron or Patrons, or other Person or Persons respectively, shall

No Presentation to any Spiritual Office, made before 9th April 1827, shall be void on account of any Agreement to resign when another Person, specially named, shall become qualified to take the same.

Persons making any

such Agreement, not subject to any Penalty on account thereof.

All such Engagements entered into before 9th April 1827, valid and effectual in Law.

Engagements not *bonâ fide* made with such Intent.

If the Person so specially named be not presented to such Spiritual Office within Six Months, the Resignation shall be void.

not be liable to any Pains, Penalty, Forfeiture, Loss, or Disability, nor to any Prosecution or other Proceeding, Civil, Criminal, or Penal, in any Court Ecclesiastical or Temporal, for or by reason of his, her, or their having made, given, or entered into or accepted or taken such Engagement as aforesaid; and that every such Presentation or Collation, or Gift or Bestowing, before the said Ninth Day of *April* in the present Year of our Lord One thousand eight hundred and twenty seven, and every Admission, Institution, Investiture, and Induction thereupon, shall be as valid and effectual in the Law, to all Intents and Purposes whatsoever, as if such Engagement had not been made, given, or entered into, or accepted or taken; any thing in the said recited Act, or in any other Act, Statute, or Canon, or any Law to the contrary in any wise notwithstanding.

II. And be it further enacted, That every such Engagement which hath been made, given, or entered into at any Time before the said Ninth Day of *April* in the present Year of our Lord One thousand eight hundred and twenty seven, for the Resignation of any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, to the Intent or Purpose, manifested by the Terms of such Engagement, that some Person specially named or described therein, or One of Two Persons so specially named or described, should be presented, collated, or nominated to such Spiritual Office, or that the same should be given or bestowed to or upon him, or for the Resignation thereof upon Notice or Request or otherwise, when a Person, or One of Two Persons, so specially named or described, should become qualified, by Age or otherwise, to accept and take the same, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever; any thing in the said recited Act, or in any other Act, Statute, or Canon, or any Law to the contrary in any wise notwithstanding.

III. Provided always, That nothing in this Act contained shall extend or be construed to extend to the Case of any Engagement which shall not have been made, given, or entered into really and *bonâ fide* to the Intent or Purpose aforesaid, and no other: Provided also, that nothing herein contained shall be deemed compulsory upon the Ordinary to accept the Resignation.

IV. Provided always, and be it further enacted, That in every Case where any such Spiritual Office shall after the passing of this Act be resigned pursuant to any such Engagement, and the Person, or One of the Two Persons, so specially named or described therein shall not be presented, collated, nominated, or appointed by Donation to such Spiritual Office within Six Calendar Months next after such Resignation, the Resignation which shall so have been made pursuant to such Engagement shall to all Intents and Purposes be void and of no Effect; and the Spiritual Person who shall so have resigned shall, without any Act or Form, and as if such Resignation had not been made, be deemed and taken to all Intents and Purposes to be and to have continued the Incumbent actually in Possession of such Spiritual Office, notwithstanding such Resignation, and although within the said Six Months any other Person may have been presented, collated, nominated, instituted, or inducted thereto, or received Investiture thereof, provided such Person so resigning shall not
by

by reason of any other Act or Thing have become disqualified to hold the same.

V. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Case of any such Engagement, upon or with respect to which any Action, Suit, Bill, Plaint, or Information shall have been brought, sued out, or commenced and prosecuted before the Ninth Day of *April* in this present Year.

Proviso for Proceedings already commenced.

C A P. XXVI.

An Act for disappropriating, disuniting, and divesting the Rectory and Rectorial Tithes of the Parish of *Youghal* from and out of the Bishopric of the Diocese of *Cloyne*, in *Ireland*, whereby the Incumbent of such Rectory should have the actual Cure of Souls in the said Parish.

[14th June 1827.]

WHEREAS the Wardenship of the College of *Youghal* and the Rectory of the Parish of *Youghal*, within the Diocese of *Cloyne*, are perpetually united, annexed, and appropriated to the Bishopric of the Diocese of *Cloyne*, and the Bishops for the Time being of the said Diocese have received the Rectorial Tithes of the said Parish, and have provided for the Cure of Souls in the said Parish by Two resident Curates there, appointed by such Bishops: And Whereas it would be highly beneficial to the Cure of Souls in the said Parish, that the said Rectorial Tithes of the said Parish so as aforesaid annexed and appropriated to the Bishopric of the said Diocese, should be disappropriated, disunited, and divested from and out of the Bishopric of the said Diocese of *Cloyne*, and that the said Parish should be a Rectory or Benefice with Cure of Souls in the Collation of the Bishop of *Cloyne*, being Warden of the said College of *Youghal* for the Time being: May it therefore please Your Majesty, upon the Petition of the Lord Bishop for the Time being of the Diocese of *Cloyne*, and Warden of the College of *Youghal*, and the humble Petition of the Two resident Curates of the said Parish of *Youghal* for the Time being, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of Six Calendar Months from and after the passing of this Act, the Rectory and Rectorial Tithes of the said Parish of *Youghal*, so as aforesaid heretofore appropriated and united to the Bishopric of the said Diocese of *Cloyne*, shall become and be actually disappropriated, disunited, and divested from and out of the Bishopric of the said Diocese of *Cloyne*; and that the said Rectory, when so disappropriated and disunited, shall be and become a Rectory, Parish, and Collative Benefice, with Cure of Souls, in the Patronage and Gift of the said Bishop of *Cloyne*, being Warden of the said College of *Youghal*, and his Successors from time to time for the Time being; and that from and after the Expiration of Six Calendar Months from and after the passing of this Act,

The Rectory and Rectorial Tithes of the Parish of *Youghal* shall be disunited from the Bishopric of *Cloyne*, and become a Benefice with Cure in the Patronage of the Bishop, being Warden of the College of *Youghal*.

the said Bishop of *Cloyne* and his Successors, being Wardens of the said College of *Youghal*, shall have the Right of Patronage and Collation to the said Rectory, and shall and may, from and after the Expiration of Six Calendar Months from and after the passing of this Act, and so from time to time whenever the said Rectory shall become or be vacant, collate any Person to be Rector and Incumbent of the said Parish or Rectory, and shall and may cause such Incumbent to be instituted and inducted into such Rectory; and every such Person so collated, instituted, and inducted, shall be and become Rector and Incumbent of such Rectory, Parish, and Benefice, and shall have Cure of Souls in such Rectory, Parish, and Benefice, and shall be entitled to the Rectorial Tithes, and to all other Emoluments and Profits of the said Rectory, Parish, and Benefice, disappropriated and disunited from the Bishopric of the said Diocese.

2 G.1. (1.)
c. 14. s. 16.

Public Act.

‘ II. And Whereas, by an Act made in the Parliament of *Ireland* ‘ in the Second Year of the Reign of King *George* the First, intituled *An Act for the real Union and Division of Parishes*, it is ‘ among other Things enacted, that all Acts of Parliament for the ‘ uniting or disuniting of particular Parishes or Parts of Parishes, ‘ or erecting particular Churches, shall be deemed as Public and ‘ General Acts in all Courts and by all Persons, and that no Fees ‘ shall be paid or taken by any Person or Persons for passing any ‘ such Act of Parliament: And Whereas it is expedient that a like ‘ Provision should be made in this Case;’ Be it therefore enacted, That this present Act is and shall be deemed a Public and General Act, and shall be judicially taken notice of as such in all Courts, and by all Judges, Justices, and others, without being specially pleaded; and that no Fees shall be paid or taken by any Person or Persons for the passing the same,

C A P. XXVII.

An Act for repealing various Statutes in *England* relative to the Benefit of Clergy, and to Larceny and other Offences connected therewith, and to malicious Injuries to Property, and to Remedies against the Hundred. [21st June 1827.]

‘ WHEREAS it is expedient to repeal various Statutes now ‘ in force in that Part of the United Kingdom called ‘ *England*, relative to the Benefit of Clergy; and it is also expedient to repeal various Statutes relative to Larceny, and other ‘ Offences of Stealing, and to Burglary, Robbery, and Threats ‘ for the Purpose of Robbery or of Extortion, and to Embezzlement, False Pretences, and the Receipt of Stolen Property, in ‘ order that the Provisions contained in those Statutes may be ‘ amended and consolidated into One Act; and it is also expedient with the same View to repeal various Statutes relative to ‘ malicious Injuries to Property; and also with the same View ‘ to repeal various Statutes relative to Remedies against the ‘ Hundred;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of ‘ a Charter or Statute made in the Ninth Year of the Reign of ‘ King

9 H. 3. c. 2.
c. 10.

King *Henry* the Third, commonly called *Charta de Foresta*, as relates to the Punishment for taking the King's Venison; and so much of a Statute made at *Westminster* in the Third Year of the Reign of King *Edward* the First, as relates to Clerks taken for guilty of Felony, and to Trespassers in Parks and Ponds; and so much of a Statute made at *Westminster* in the Thirteenth Year of the same Reign, as ordains that the Towns near adjoining shall be distrained to levy at their own Cost a Hedge or Dyke overthrown, and to yield Damages; and the whole of a Statute made in the same Year, intituled *Statutum Winton*, except so much thereof as forbids Fairs and Markets being kept in Churchyards; and a Statute made in the Twenty first Year of the same Reign, intituled *Statutum de Malefactoribus in Parcibus*; and so much of a Statute made in the First Year of the Reign of King *Edward* the Third, as relates to Trespasses in the King's Forests of Vert and Venison; and so much of a Statute made in the Twenty fifth Year of the same Reign, intituled *Ordinatio pro Clero*, as relates to Clerks convicted of Treasons or Felonies, and to the Arraignment of Clerks; and so much of a Statute made in the Twenty eighth Year of the same Reign, as relates to making Cry and fresh Suit, and to Hundreds and Franchises being answerable as therein mentioned; and so much of a Statute made in the Thirty fourth Year, and of another Statute made in the Thirty seventh Year of the same Reign, as relates to Hawks; and so much of a Statute made in the Eighth Year of the Reign of King *Henry* the Sixth, as relates to the Offences of stealing, taking away, withdrawing, or avoiding of any Record or other like Thing therein mentioned; and so much of a Statute made in the Thirty third Year of the same Reign, as relates to Servants taking and spoiling the Goods of their Masters after their Death; and an Act passed in the First Year of the Reign of King *Henry* the Seventh, intituled *An Act against unlawful Hunting in Forests and Parks*; and an Act passed in the Fourth Year of the same Reign, intituled *An Act to take away the Benefit of Clergy from certain Persons*; and an Act passed in the Twenty first Year of the Reign of King *Henry* the Eighth, intituled *An Act for the Punishment of such Servants as shall withdraw themselves, and go away with their Masters or Mistresses' Caskets and other Jewels or Goods committed to them in Trust to be kept*; and an Act passed in the same Year, intituled *An Act for Restitution to be made of the Goods of such as shall be robbed by Felons*; and an Act passed in the Twenty third Year of the same Reign, intituled *An Act that no Person committing Petty Treason, Murder or Felony shall be admitted to his Clergy under Subdeacon*; and an Act passed in the same Year, intituled *An Act for breaking of Prison by Clerks Convict*; and an Act passed in the Thirty first Year of the same Reign, intituled *An Act against Fishing in Ponds*; and an Act passed in the Thirty third Year of the same Reign, intituled *An Act concerning counterfeit Letters, or privy Tokens, to receive Money or Goods in other Men's Names*; and an Act passed in the Thirty fourth and Thirty fifth Years of the same Reign, intituled *An Act for a Certificate of Convicts to be made into the King's Bench*; and an Act passed in the Thirty fifth Year of the same Reign, intituled *An Act for the Preservation of Woods*; and an Act passed in the Thirty seventh Year

8 Ed. 1. c. 2.
& 20.13 Ed. 1. st. 1.
c. 46.

13 Ed. 1. st. 2.

21 Ed. 1. st. 2.

1 Ed. 3. st. 1.
c. 8.25 Ed. 3. st. 6.
(vulgo st. 3.)
c. 4, 5.

28 Ed. 3. c. 11.

34 Ed. 3. c. 22.

37 Ed. 3. c. 19.

8 H. 6. c. 12.
a. 3.

33 H. 6. c. 1.

1 H. 7. c. 7.

4 H. 7. c. 13.

21 H. 8. c. 7.

21 H. 8. c. 11.

23 H. 8. c. 1.

23 H. 8. c. 11.

31 H. 8. c. 2.

33 H. 8. c. 1.

34 & 35 H. 8.
c. 14.

35 H. 8. c. 17.

- 37 H. 8. c. 6. Year of the same Reign, intituled *An Act against Burning of Frames*; and so much of an Act passed in the same Year, intituled *An Act that an Indictment lacking these Words, Vi et Armis, shall be sufficient in Law*, as relates to Persons stealing any Horse, Gelding, Mare, Foal, or Filly; and so much of an Act passed in the First Year of the Reign of King *Edward the Sixth*, intituled *An Act for the Repeal of certain Statutes concerning Treasons, Felonies, etc.*, as relates to House-breaking, Robbing, Horse-stealing, and Sacrilege, and to the Allowance of the Benefit of Clergy in any Case therein mentioned; and an Act passed in the Second and Third Years of the same Reign, intituled *An Act that no Man stealing Horse or Horses shall enjoy the Benefit of his Clergy*; and an Act passed in the Fifth and Sixth Years of the same Reign, intituled *An Act that no Man robbing any House, Booth, or Tent, shall not † be admitted to the Benefit of his Clergy*; and so much of an Act passed in the Fourth and Fifth Years of the Reign of King *Philip* and Queen *Mary*, intituled *An Act that Accessories in Murder and divers Felonies shall not have the Benefit of Clergy*, as relates to Accessories to any Robbery or Burning therein mentioned; and an Act passed in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act reviving a Statute made Anno 21 H. 8. touching Servants embezzling their Masters' Goods*; and another Act passed in the same Fifth Year, intituled *An Act for the Punishment of unlawful taking of Fish, Deer, or Hawks*; and an Act passed in the Eighth Year of the same Reign, intituled *An Act to take away the Benefit of Clergy from certain felonious Offenders*; and so much of an Act passed in the Thirteenth Year of the same Reign, intituled *An Act for the reviving and Continuance of certain Statutes*, as alters and perpetuates the Act of the Thirty fifth Year of the Reign of King *Henry* the Eighth hereinbefore recited; and so much of an Act passed in the Eighteenth Year of the Reign of Queen *Elizabeth*, intituled *An Act to take away Clergy from the Offenders in Rape and Burglary, and an Order for the Delivery of Clerks Convict without Purgation*, as relates to Burglary, and to Persons admitted to the Benefit of Clergy; and an Act passed in the Twenty seventh Year of the same Reign, intituled *An Act for the following of Hue and Cry*; and an Act passed in the Thirty first Year of the same Reign, intituled *An Act against embezzling of Armour, Habillments of War, and Victual*; and so much of an Act passed in the same Year, intituled *An Act to avoid Horse-stealing*, as enacts that all Accessories to Horse-stealing shall be deprived of the Benefit of Clergy; and an Act passed in the Thirty ninth Year of the same Reign, intituled *An Act that no Person robbing any House in the Day-time, although no Person be therein, shall be admitted to have the Benefit of his Clergy*; and an Act passed in the Forty third Year of the same Reign, intituled *An Act to avoid and prevent divers Misdemeanors in lewd and idle Persons*; and an Act passed in the same Year, intituled *An Act for the more peaceable Government of the Parts of Cumberland, Northumberland, Westmorland, and the Bishopric of Durham*; and so much of an Act passed in the Second Year of the Reign of King *James* the First, intituled *An Act for the better Execution of the Intent and Meaning of former Statutes made against shooting in † Guns, and for the Preservation*
- 37 H. 8. c. 8.
§ 2.
- 1 Ed. 6. c. 12.
§ 10. 14.
- 2 & 3 Ed. 6.
c. 33.
- 5 & 6 Ed. 6.
c. 9.
- † Sic.
- 4 & 5 P. & M.
c. 4.
- 5 Eliz. c. 10.
- 5 Eliz. c. 21.
- 8 Eliz. c. 4.
- 13 Eliz. c. 25.
§ 3. 18, 19.
- 18 Eliz. c. 7.
- 27 Eliz. c. 13.
- 31 Eliz. c. 4.
- 31 Eliz. c. 12.
§ 5.
- 39 Eliz. c. 15.
- 43 Eliz. c. 7.
- 43 Eliz. c. 13.
- 2 Jac. 1. c. 27.
recognized as
existing in
2 G. 3. c. 29.
† Sic.

servation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare Pipes, and tracing Hares in the Snow, as relates to House Doves, Pigeons, and Deer; and an Act passed in the Third Year of the same Reign, intituled An Act against unlawful hunting and stealing of Deer and Conies; and an Act passed in the Seventh Year of the same Reign, for the Explanation of the last-mentioned Act; and an Act passed in the Fifteenth Year of the Reign of King Charles the Second, intituled An Act for the Punishment of unlawful cutting or stealing or spoiling of Wood and Underwood, and destroying of young Timber Trees; and an Act passed in the Twenty second Year of the same Reign, intituled An Act for taking away the Benefit of Clergy from such as steal Cloth from the Rack, and from such as shall steal His Majesty's Ammunition and Stores; and an Act passed in the Twenty second and Twenty third Years of the same Reign, intituled An Act to prevent the malicious burning of Houses, Stacks of Corn and Hay, and killing or maiming of Cattle; and so much of an Act passed in the same Years, intituled An Act to prevent the Delivery up of Merchants Ships, and for the Increase of good and serviceable Shipping, as relates to the wilful Destruction of any Ship by any of the Persons belonging to it, as therein mentioned; and an Act passed in the same Years, intituled An Act for the better Preservation of the Game, and for securing Warrens not inclosed, and the several Fishings of this Realm, so far as relates to all Subjects therein mentioned, except the Appointment and Powers of Gamekeepers, Search Warrants and the Description of Persons who are thereby declared to be Persons not allowed to have or keep for themselves or any other Person any Guns, Bows, Greyhounds, or other Animals or Things therein enumerated; and an Act passed in the Third Year of the Reign of King William and Queen Mary, intituled An Act to take away Clergy from some Offenders, and to bring others to Punishment; and so much of an Act passed in the Fourth Year of the same Reign, intituled An Act for the more easy Discovery and Conviction of such as shall destroy the Game of this Kingdom, as relates to Pigeons and Fish, and to Persons wrongfully fishing, and to all Instruments and Engines for destroying or taking Fish, and to the burning of any Grig, Ling, Heath, Furze, Goss, or Fern; and so much of an Act passed in the Fourth Year of the same Reign, intituled An Act for reviving, continuing, and explaining several Laws therein mentioned, which are expired and near expiring, as explains the said recited Act of the Third Year of the same Reign; and the whole of an Act passed in the Tenth Year of the Reign of King William the Third, intituled An Act for the better apprehending, prosecuting, and punishing of Felons that commit Burglary, House-breaking, or Robbery in Shops, Warehouses, Coach Houses, or Stables, or that steal Horses, except so much thereof as relates to Fees for discharging Recognizances and drawing Bills of Indictment, and to defective Bills of Indictment; and the whole of an Act passed in the First Year of the Reign of Queen Anne, intituled An Act for punishing of Accessories to Felonies and Receivers of Stolen Goods, and to prevent the wilful burning and destroying of Ships, except so much thereof as relates to Witnesses on behalf of the Prisoner upon any Trial for Treason or Felony; and an Act passed

3 Jac. 1. c. 13.

[This Act and the next are recognized as existing in

16 G.S. c. 30.]

7 Jac. 1. c. 13.

15 Car. 2. c. 2.

22 Car. 2. c. 5.

22 & 23 Car. 2. c. 7.

22 & 23 Car. 2. c. 11. § 12.

22 & 23 Car. 2. c. 25.

except § 1 to 3.

3 W. & M. c. 9.

4 W. & M. c. 23.

4 W. & M. c. 24. § 13.

10 W. 3. c. 12.
(vulgo 10 & 11
W. 3. c. 23.)
except § 7 & 8.

1 Ann. st. 2. c. 9.

except § 3.

6 Ann. c.9.
(vulgo 5 Ann.
c.6.)

12 Ann. st.1.
c.7.

13 Ann. c.21.
(vulgo 12 Ann.
st.2.)
c.18. § 4 & 5.

1 G.1. st.2.
c.5. § 4 & 6.

1 G.1. st.2.
c.48.

4 G.1. c.11.
except § 7.

5 G.1. c.28.

6 G.1. c.16.

9 G.1. c.22.

2 G.2. c.25.
§ 3.

passed in the Sixth Year of the same Reign, intituled *An Act for repealing a Clause in an Act, intituled 'An Act for the better apprehending, prosecuting, and punishing Felons that commit Burglaries, Housebreaking, or Robberies in Shops, Warehouses, Coach Houses, or Stables, or that 'steal Horses';* and an Act passed in the Twelfth Year of the same Reign, intituled *An Act for the more effectual preventing and punishing Robberies that shall be committed in Houses;* and so much of an Act passed in the Thirteenth Year of the same Reign, intituled *An Act for the preserving all such Ships, and Goods thereof, which shall happen to be forced on Shore or stranded upon the Coasts of this Kingdom, or any other of her Majesty's Dominions,* as relates to any Person upon whom any Goods stolen or carried off from any Vessel in Distress shall be found, and to the several Offences touching Vessels in Distress which are thereby made Capital Felonies; and so much of an Act passed in the First Year of the Reign of King George the First, intituled *An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectual punishing the Rioters,* as relates to any Rioters demolishing or pulling down, or beginning to demolish or pull down, any of the Buildings therein mentioned, and to the Liability of the Inhabitants of the Hundred, City, or Town, in which the Damage shall be done, to yield Damages to the Party injured; and an Act passed in the same Year, intituled *An Act to encourage the planting of Timber Trees, Fruit Trees, and other Trees for Ornament, Shelter, or Profit, and for the better Preservation of the same, and for the preventing the burning of Woods;* and the whole of an Act passed in the Fourth Year of the same Reign, intituled *An Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons and unlawful Exporters of Wool, and for declaring the Law upon some Points relating to Pirates,* except so much thereof as relates to the Trial of Piracy, Felony, or Robbery committed within the Admiralty Jurisdiction; and an Act passed in the Fifth Year of the same Reign, intituled *An Act for the further Punishment of such Persons as shall unlawfully kill or destroy Deer in Parks, Paddocks, or other inclosed Grounds;* and an Act passed in the Sixth Year of the same Reign, intituled *An Act to explain and amend an Act passed in the First Year of His Majesty's Reign, intituled 'An Act to encourage the planting of Timber Trees, Fruit Trees, and other Trees for Ornament, Shelter, or Profit, and for the better Preservation of the same, and for the preventing the burning of Woods,'* and for the better Preservation of the Fences of such Woods; and an Act passed in the Ninth Year of the same Reign, intituled *An Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of His Majesty's Subjects, and for the more speedy bringing the Offenders to Justice;* and so much of an Act passed in the Second Year of the Reign of King George the Second, intituled *An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money,* as relates to the stealing or taking by Robbery any Orders or other Securities therein enumerated; and an Act passed in

in the Fourth Year of the same Reign, intituled *An Act for the more effectual punishing Stealers of Lead or Iron Bars fixed to Houses, or any Fences belonging thereunto*; and an Act passed in the Sixth Year of the same Reign, intituled *An Act for making perpetual the several Acts therein mentioned, for the better Regulation of Juries*; and for empowering the Justices of Session or Assizes for the Counties Palatine of Chester, Lancaster, and Durham, to appoint a Special Jury in Manner therein mentioned; and for continuing the Act for regulating the Manufacture of Cloth in the West Riding of the County of York, (except a Clause therein contained;) and for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and for other Purposes therein mentioned; and to prevent the cutting or breaking down the Bank of any River, or any Sea Bank, and to prevent the malicious cutting of Hopbinds; and for continuing an Act made in the Thirteenth and Fourteenth Years of the Reign of King Charles the Second, for preventing Theft and Rapine upon the Northern Borders of England; and for reviving and continuing certain Clauses in Two other Acts made for the same Purpose; and an Act passed in the Eighth Year of the Reign of King George the Second, intituled *An Act for the Amendment of the Law relating to Actions on the Statute of Hue and Cry*; and an Act passed in the same Year, intituled *An Act for rendering the Laws more effectual for punishing such Persons as shall wilfully and maliciously pull down or destroy Turnpikes for repairing Highways, or Locks, or other Works erected by Act of Parliament for making Rivers navigable, and for other Purposes therein mentioned*; and an Act passed in the Tenth Year of the same Reign, intituled *An Act for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of His Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; and for continuing Two Clauses, to prevent the cutting or breaking down the Bank of any River or Sea Bank, and to prevent the malicious cutting of Hopbinds, contained in an Act passed in the Sixth Year of His present Majesty's Reign*; and for the more effectual Punishment of Persons removing any Materials used for securing Marsh or Sea Walls or Banks, and of Persons maliciously setting on Fire any Mine, Pit, or Delph of Coal or Cannel Coal, and of Persons unlawfully hunting or taking any Red or Fallow Deer in Forests or Chases, or beating or wounding Keepers or other Officers in Forests, Chases, or Parks; and for more effectually securing the Breed of Wild Fowl, except so much thereof as relates to Wild Fowl; and so much of an Act passed in the Eleventh Year of the same Reign, intituled *An Act for punishing such Persons as shall do Injuries and Violences to the Persons or Properties of His Majesty's Subjects, with Intent to hinder the Exportation of Corn, as relates to the Liability of the Inhabitants of Hundreds*; and an Act passed in the Thirteenth Year of the same Reign, intituled *An Act for further and more effectually preventing the wilful and malicious Destruction of Collieries and Coal Works*; and an Act passed in the Fourteenth Year of the same Reign, intituled *An Act to render the Laws more effectual for the preventing the stealing and destroying of Sheep and other Cattle*;

4 G.2. c.32.

6 G.2. c.37.

8 G.2. c.16.]

8 G.2. c.20.

10 G.2. c.32.
except § 10.11 G.2. c.22.
§ 5. to the End.

13 G.2. c.21.

14 G.2. c.6.

- Cattle*; and an Act passed in the Fifteenth Year of the same Reign, intituled *An Act to explain an Act made in the Fourteenth Year of the Reign of His present Majesty, intituled 'An Act to render the Laws more effectual for preventing the stealing and destroying of Sheep and other Cattle*;' and an Act passed in the
- 15 G.2. c.34.
- 22 G.2. c.24.
- 22 G.2. c.46.
§ 34.
- 24 G.2. c.45.
- 25 G.2. c.10.
- 25 G.2. c.36.
§ 1.
- 26 G.2. c.19.
§ 1, 2, 3, 4, & 8.
- 28 G.2. c.19.
§ 3.
- 29 G.2. c.30.
- 29 G.2. c.36.
§ 6, 7, 8, & 9.
- 30 G.2. c.24.
§ 1.
- Twenty second Year of the same Reign, intituled *An Act for remedying Inconveniencies which may happen by Proceedings in Actions on the Statute of Hue and Cry*; and so much of an Act passed in the same Year, for (among other Purposes) ascertaining the Method of levying Writs of Execution against the Inhabitants of Hundreds, as relates to such Writs and the Proceedings thereupon; and an Act passed in the Twenty fourth Year of the same Reign, intituled *An Act for the more effectual preventing of Robberies and Thefts upon any Navigable Rivers, Ports of Entry or Discharge, Wharfs and Keys adjacent*; and an Act passed in the Twenty fifth Year of the same Reign, intituled *An Act for the more effectual securing Mines of Black Lead from Theft and Robbery*; and so much of an Act passed in the same Year, intituled *An Act for the better preventing Thefts and Robberies, and for regulating Places of Public Entertainment, and punishing Persons keeping disorderly Houses*, as relates to the Advertisements therein prohibited; and so much of an Act passed in the Twenty sixth Year of the same Reign, intituled *An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods, and for the Relief of Persons suffering Losses thereby*, as relates to any of the Felonies therein mentioned, and to Search Warrants, and to Property belonging to any Vessel lost, stranded, or cast on Shore, being found in any Place, or in the Possession of any Person, and to any Person offering or exposing to Sale any such Property, as therein respectively mentioned; and so much of an Act passed in the Twenty eighth Year of the same Reign, for (among other Purposes) preventing the burning or destroying of Goss, Furze, or Fern in Forests or Chases, as relates to Persons burning or destroying the same; and an Act passed in the Twenty ninth Year of the same Reign, intituled *An Act for more effectually discouraging and preventing the stealing, and the buying and receiving stolen Lead, Iron, Copper, Brass, Bell-metal, and Solder, and for more effectually bringing the Offenders to Justice*; and so much of an Act passed in the same Year, intituled *An Act for inclosing, by the mutual Consent of the Lords and Tenants, Part of any Common, for the Purpose of planting and preserving Trees fit for Timber or Underwood, and for more effectually preventing the unlawful Destruction of Trees*, as relates to the Remedy for the Recovery of Damages against the Inhabitants of the adjoining Parishes, Towns, Hamlets, Villages, or Places, and to the Punishment of the several Offences relating to Trees, and to the Explanation respecting the Three Acts of King George the First, as therein respectively mentioned; and so much of an Act passed in the Thirtieth Year of the same Reign, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses by Journeymen, Labourers, Servants,*

Servants, and Apprentices, as relates to obtaining by false Pretence or Pretences any Property as therein mentioned; and an Act passed in the Thirty first Year of the same Reign, intituled *An Act to continue several Laws therein mentioned, for granting a Liberty to carry Sugars, of the Growth, Produce, or Manufacture of any of His Majesty's Sugar Colonies in America, from the said Colonies directly into Foreign Parts, in Ships built in Great Britain and navigated according to Law; for the preventing the committing of Frauds by Bankrupts; for giving further Encouragement for the Importation of Naval Stores from the British Colonies in America; and for preventing Frauds and Abuses in the Admeasurement of Coals in the City and Liberty of Westminster; and for preventing the stealing or destroying of Madder Roots; and an Act passed in the Second Year of the Reign of King George the Third, intituled An Act to amend so much of an Act made in the First Year of the Reign of King James the First, intituled 'An Act for the better Execution of the Intent and Meaning of former Statutes made against shooting in Guns, and for the Preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare Pipes, and tracing Hares in the Snow,' as relates to the Preservation of House Doves and Pigeons, by making the Manner of convicting such Person or Persons as shall offend therein more easy and expeditious; and an Act passed in the Fourth Year of the Reign of King George the Third, intituled An Act to continue several Laws for the better Regulation of Pilots for the conducting of Ships and Vessels from Dover, Deal, and the Isle of Thanet, up the Rivers of Thames and Medway; relating to the landing of Rum or Spirits of the British Sugar Plantations before the Duties of Excise are paid thereon; and to the further Punishment of Persons going armed or disguised in defiance of the Laws of Customs or Excise; and to the Relief of the Officers of the Customs in Informations upon Seizures; and for granting a Liberty to carry Sugars, of the Growth, Produce, or Manufacture of any of His Majesty's Sugar Colonies, directly into Foreign Parts, in Ships built in Great Britain, and navigated according to Law; and for punishing Persons who shall damage or destroy any Banks, Floodgates, Sluices, or other Works belonging to the Rivers and Streams made navigable by Act of Parliament; and an Act passed in the same Year, intituled An Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments, and to indemnify Justices of the Peace, Deputy Lieutenants, and Officers of the Militia, or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and to indemnify Members and Officers in Cities, Corporations, and Borough Towns, whose Admissions have been omitted to be stamped according to the several Acts of Parliament now in force for that Purpose, or having been stamped have been lost or mislaid, and for allowing them Time to provide Admissions duly stamped; and to prevent the Destruction of Trees and Underwoods growing in Forests and Chases; and an Act passed in the Fifth Year of the same Reign, intituled An Act for the more effectual Preservation of Fish in Fish Ponds and other Waters, and Conies in Warrens, and for preventing the Damage done to Sea Banks within the County of Lincoln by the breeding Conies therein; and*

31 G.2. c.35.

2 G.3. c.29.

4 G.3. c.12.

4 G.3. c.31.

5 G.3. c.14.

an

- 6 G.3. c.36. an Act passed in the Sixth Year of the same Reign, intituled *An Act for encouraging the Cultivation, and for the better Preservation of Trees, Roots, Plants, and Shrubs*; and another Act passed in
- 6 G.3. c.48. the same Year, intituled *An Act for the better Preservation of Timber Trees, and of Woods and Underwoods, and for the further Preservation of Roots, Shrubs, and Plants*; and an Act passed in
- 9 G.3. c.29. the Ninth Year of the same Reign, intituled *An Act for the more effectual Punishment of such Persons as shall demolish or pull down, burn, or otherwise destroy or spoil any Mill or Mills, and for preventing the destroying or damaging of Engines for draining Collieries and Mines, or Bridges, Waggonways, or other Things used in conveying Coals, Lead, Tin, or other Minerals from Mines, or Fences for inclosing Lands in pursuance of Acts of Parliament*; and an
- 9 G.3. c.41. Act passed in the same Year, intituled *An Act for better securing the Duties of Customs upon certain Goods removed from the Out Ports and other Places to London; for regulating the Fees of Officers of His Majesty's Customs in the Province of Senegambia, in Africa; for allowing to the Receivers General of the Duties on Offices and Employments, in Scotland, a proper Compensation for their Trouble and Expences; for the better Preservation of Hollies, Thorns, and Quicksets in Forests, Chases, and private Grounds, and of Trees and Underwoods in Forests and Chases; and for authorizing the Exportation of a limited Quantity of an inferior Sort of Barley called Bigg, from the Port of Kirkwall, in the Islands of Orkney*; and an
- 10 G.3. c.18. Act passed in the Tenth Year of the same Reign, intituled *An Act for preventing the stealing of Dogs*; and another Act passed in
- 10 G.3. c.48. the same Year, intituled *An Act for making the receiving of stolen Jewels, and Gold and Silver Plate, in the Case of Burglary and Highway Robbery, more penal*; and so much of an Act passed in
- 13 G.3. c.31. § 4 & 5. the Thirteenth Year of the same Reign, intituled *An Act for the more effectual Execution of Criminal Laws in the Two Parts of the United Kingdom, as relates to the Prosecution and Punishment of Persons for Theft or Larceny, and for receiving or having any stolen Property as therein mentioned*; and an Act passed in the
- 13 G.3. c.32. same Year, intituled *An Act for repealing so much of an Act made in the Twenty third Year of His late Majesty King George the Second, as relates to the preventing the stealing, or destroying of Turnips*; and for the more effectually preventing the stealing or destroying of Turnips, Potatoes, Cabbages, Parsnips, Pease, and Carrots; and another Act passed in the same Thirteenth Year,
- 13 G.3. c.33. intituled *An Act to extend the Provisions of an Act made in the Sixth Year of His present Majesty's Reign, intituled 'An Act for the better Preservation of Timber Trees, and of Woods and Underwoods, and for the further Preservation of Roots, Shrubs, and Plants,' to Poplar, Alder, Maple, Larch, and Hornbeam*; and an
- 16 G.3. c.30. Act passed in the Sixteenth Year of the same Reign, intituled *An Act more effectually to prevent the stealing of Deer, and to repeal several former Statutes made for the like Purpose*; and the whole of an Act passed in the Nineteenth Year of the same Reign, intituled
- 19 G.3. c.74. except § 70. *An Act to explain and amend the Laws relating to the Transportation, Imprisonment, and other Punishment of certain Offenders, except so much thereof as relates to the Judges Lodgings*; and an
- 21 G.3. c.68. Act passed in the Twenty first Year of the same Reign, intituled *An Act to explain and amend an Act made in the Fourth Year of the Reign*

Reign of His late Majesty King George the Second, intituled 'An Act for the more effectual punishing Stealers of Lead and Iron Bars fixed to Houses, or any Fences belonging thereunto;' and another Act passed in the same Twenty first Year, intituled *An Act to explain and amend an Act made in the Twenty ninth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for more effectually discouraging and preventing the stealing, and the buying and receiving of stolen Lead, Iron, Copper, Brass, Bell-metal, and Solder, and for more effectually bringing the Offenders to Justice;'* and an Act passed in the Twenty second Year of the Reign of King George the Third, intituled *An Act for the more easy Discovery and effectual Punishment of Buyers and Receivers of Stolen Goods;* and an Act passed in the Thirty first Year of the same Reign, intituled *An Act to render Persons convicted of Petty Larceny competent Witnesses;* and an Act passed in the same Year, intituled *An Act for better protecting the several Oyster Fisheries within this Kingdom;* and so much of an Act passed in the Thirty third Year of the same Reign, intituled *An Act for better preventing Offences in obstructing, destroying, or damaging Ships or other Vessels, and in obstructing Seamen, Keelmen, Casters, and Ship Carpenters, from pursuing their lawful Occupations,* as relates to Persons who shall wilfully and maliciously set fire to, or destroy or damage otherwise than by Fire, any Ship, Keel, or other Vessel; and so much of an Act passed in the Thirty sixth Year of the same Reign, intituled *An Act to prevent Obstructions to the free Passage of Grain within the Kingdom,* as relates to the Liability of the Inhabitants of Hundreds; and an Act passed in the Thirty ninth Year of the same Reign, intituled *An Act to protect Masters against Embezzlements by their Clerks or Servants;* and so much of an Act passed in the Thirty ninth and Fortieth Years of the same Reign, intituled *An Act for the Security of Collieries and Mines, and for the better Regulation of Colliers and Miners,* as declares what Persons shall be deemed and adjudged to be guilty of a Misdemeanor, and as relates to any Person who shall steal or take away, or break, destroy, damage, or embezzle, any Article not exceeding the Value of Five Shillings as therein mentioned, or shall break, destroy, or damage any Waggon, Cart, or other Carriage as therein mentioned; and an Act passed in the Forty first Year of the same Reign, intituled *An Act for the indemnifying of Persons injured by the forcible pulling down and demolishing of Mills, or of Works thereunto belonging, by Persons unlawfully and riotously assembled;* and an Act passed in the Forty second Year of the same Reign, intituled *An Act to extend the Provisions of an Act made in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act for repealing so much of an Act made in the Twenty third Year of His late Majesty King George the Second, as relates to the preventing the stealing or destroying of Turnips, and for the more effectually preventing the stealing or destroying of Turnips, Potatoes, Cabbages, Parsnips, Pease, and Carrots,' to certain other Field Crops, and to Orchards; and for amending the said Act;* and an Act passed in the same Forty second Year, intituled *An Act more effectually to prevent the stealing of Deer;* and so much of an Act passed in the Forty third Year of the same Reign, intituled *An Act for the further Prevention*

21 G.S. c.69.
22 G.S. c.58.
31 G.S. c.35.
31 G.S. c.51.
33 G.S. c.67.
§ 5 & 6.
36 G.S. c.9.
§ 3. to the End.
39 G.S. c.85.
39 & 40 G.S. c.77. § 1 & 5.
41 G.S. c.24.
(U.K.)
42 G.S. c.67.
42 G.S. c.107.
43 G.S. c.58.
of Part of § 1.

43 G.S. c.118.
except § 6.

44 G.S. c.92.
§ 7 & 8.

45 G.S. c.66.

48 G.S. c.129.

48 G.S. c.144.

51 G.S. c. 41.

51 G.S. c.120.

52 G.S. c.63.

of malicious shooting, and attempting to discharge loaded Fire Arms, stabbing, cutting, wounding, poisoning, and the malicious using of Means to procure the Miscarriage of Women; and also the malicious setting Fire to Buildings; and also for repealing a certain Act made in England in the Twenty first Year of the late King James the First, intituled 'An Act to prevent the destroying and 'murdering of Bastard Children;' and also an Act made in Ireland in the Sixth Year of the Reign of the late Queen Anne, also intituled 'An Act to prevent the destroying and murdering of 'Bastard Children;' and for making other Provisions in lieu thereof, as relates to the setting Fire to any of the Buildings therein enumerated; and the whole of an Act passed in the same Forty third Year, intituled *An Act for the more effectually providing for the Punishment of Offences in wilfully casting away, burning, or destroying Ships or Vessels; and for the more convenient Trial of Accessories in Felonies; and for extending the Powers of an Act made in the Thirty third Year of the Reign of King Henry the Eighth, as far as relates to Murders, to Accessories to Murders, and to Manslaughters, except so much thereof as specially relates to Accessories before the Fact in Murder, and to Manslaughter; and so much of an Act passed in the Forty fourth Year of King George the Third, intituled *An Act to render more easy the apprehending and bringing to Trial Offenders escaping from one Part of the United Kingdom to the other, and also from one County to another, as relates to the Prosecution and Punishment of Persons for Theft or Larceny, and for receiving or having any Stolen Property, as therein mentioned; and an Act passed in the Forty fifth Year of the same Reign, intituled *An Act to prevent in Great Britain the illegally carrying away Bark; and for amending Two Acts passed in the Sixth and Ninth Years of His present Majesty's Reign, for the Preservation of Timber Trees, Underwoods, Roots, Shrubs, Plants, Hollies, Thorns, and Quicksets; and an Act passed in the Forty eighth Year of the same Reign, intituled *An Act to repeal so much of an Act passed in the Eighth Year of the Reign of Queen Elizabeth, intituled 'An Act to take away the Benefit of Clergy 'from certain Offenders for Felony,' as takes away the Benefit of Clergy from Persons stealing privily from the Person of another; and for more effectually preventing the Crime of Larceny from the Person; and an Act passed in the same Forty eighth Year, intituled *An Act for the more effectual Protection of Oyster Fisheries and the Brood of Oysters in England; and an Act passed in the Fifty first Year of the same Reign, intituled *An Act to repeal so much of an Act passed in the Eighteenth Year of the Reign of King George the Second, intituled 'An Act for the more effectually 'preventing the stealing of Linen, Fustian, and Cotton Goods and 'Wares, in Buildings, Fields, Grounds, and other Places used for 'printing, whitening, bleaching, or dyeing the same,' as takes away the Benefit of Clergy from Persons stealing Cloth in Places therein mentioned; and for more effectually preventing such Felonies; and an Act passed in the same Fifty first Year, intituled *An Act to amend an Act of the Forty seventh Year of His present Majesty, for more effectually preventing the stealing of Deer; and an Act passed in the Fifty second Year of the same Reign, intituled *An Act for more effectually preventing the Embezzlement of Securities* for*******

for Money and other Effects left or deposited for safe Custody, or other special Purpose, in the Hands of Bankers, Merchants, Brokers, Attornies, or other Agents; and an Act passed in the same Year, intituled *An Act for extending the Provisions of an Act of the Thirtieth Year of King George the Second, against Persons obtaining Money by false Pretences, to Persons so obtaining Bonds and other Securities*; and another Act passed in the same Fifty second Year, intituled *An Act for the more effectual Punishment of Persons destroying the Properties of His Majesty's Subjects, and enabling the Owners of such Properties to recover Damages for the Injury sustained*; and so much of an Act passed in the Fifty third Year of the same Reign, intituled *An Act to repeal a certain Provision respecting Persons convicted of Felony without Benefit of Clergy, contained in an Act made in the Fifty second Year of the Reign of His present Majesty, for the Erection of a Penitentiary House for the Confinement of Persons convicted within the City of London and County of Middlesex, and for making other Provisions in lieu thereof, as relates to the Punishment of Larceny*; and an Act passed in the Fifty sixth Year of the same Reign, intituled *An Act for the more effectual Punishment of Persons riotously destroying or damaging Buildings, Engines, and Machinery used in and about Collieries and other Mines, Waggonways, Bridges, and other Works used in conveying and shipping Coals and other Minerals; and for enabling the Owners of such Property to recover Damages for the Injury sustained*; and so much of an Act passed in the Fifty seventh Year of the same Reign, intituled *An Act for the more effectually preventing Seditious Meetings and Assemblies*, as relates to the Liability of the Inhabitants of the City, Town, or Hundred, to yield Compensation to the Party injured, as therein mentioned; and an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the summary Punishment, in certain Cases, of Persons wilfully or maliciously damaging or committing Trespasses on public or private Property*; and the whole of an Act passed in the same Year, intituled *An Act to repeal so much of the several Acts passed in the Thirty ninth Year of the Reign of Elizabeth, the Fourth of George the First, the Fifth and Eighth of George the Second, as inflicts Capital Punishment on certain Offences therein specified, and to provide more suitable and effectual Punishment for such Offences*, except so much thereof as relates to the Offences made Capital by the said Act of Queen Elizabeth; and another Act passed in the same Year of the present Reign, intituled *An Act to repeal so much of an Act passed in the Tenth and Eleventh Years of King William the Third, intituled 'An Act for the better apprehending, prosecuting, and punishing of Felons that commit Burglary, Housebreaking, or Robbery in Shops, Warehouses, Coach Houses, or Stables, or that steal Horses,' as takes away the Benefit of Clergy from Persons privately stealing, in any Shop, Warehouse, Coach House, or Stable, any Goods, Wares, or Merchandizes of the Value of Five Shillings; and for more effectually preventing the Crime of stealing privately in Shops, Warehouses, Coach Houses; or Stables*; and an Act passed in the Third Year of the present Reign, intituled *An Act for extending the Laws against Receivers of Stolen Goods to Receivers of Stolen Bonds, Bank Notes, and other Securities for Money*; and an Act passed

3 G. 4. c. 53.

passed in the same Year, intituled *An Act for altering and amending several Acts passed in the First and Ninth Years of the Reign of King George the First, and in the Forty first, Fifty second, Fifty sixth, and Fifty seventh Years of the Reign of His late Majesty King George the Third, so far as the same relate to the Recovery of Damages committed by riotous and tumultuous Assemblies, and unlawful and malicious Offenders*; and the whole of an Act

3 G. 4. c. 38.

passed in the same Year of the present Reign, intituled *An Act for the further and more adequate Punishment of Persons convicted of Manslaughter, and of Servants convicted of robbing their Masters, and of Accessories before the Fact to Grand Larceny, and certain other Felonies*, except so far as relates to Manslaughter; and so much of another Act passed in the same Year, intituled

3 G. 4. c. 114.

An Act to provide for the more effectual Punishment of certain Offences, by Imprisonment with hard Labour, as relates to the Punishment for receiving Stolen Goods, and for obtaining any Property as therein mentioned by false Pretences; and so much

5 G. 4. c. 126.

§ 128.

of an Act passed in the same Year, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, as creates any Felony; and the whole of an Act passed in the Fourth Year of the present

4 G. 4. c. 46.

Reign, intituled *An Act for repealing the Capital Punishments inflicted by several Acts of the Sixth and Twenty seventh Years of King George the Second, and of the Third, Fourth, and Twenty second Years of King George the Third, and for providing other Punishments in lieu thereof, and in lieu of the Punishment of Frambreaking under an Act of the Twenty eighth Year of the same Reign*, except so far as relates to the Felonies created by the Acts of the Twenty seventh Year of King George the Second and of the Third Year of King George the Third therein recited; and the whole of an Act passed in the same Year of the

4 G. 4. c. 53.

present Reign, intituled *An Act for extending the Benefit of Clergy to several Larcenies therein mentioned*, except so far as relates to any Person convicted of stealing or embezzling His Majesty's Ammunition, Sails, Cordage, or Naval or Military Stores, or of being accessory to any such Offence; and the whole of an Act

4 G. 4. c. 54.

passed in the same Year, intituled *An Act for allowing the Benefit of Clergy to Persons convicted of certain Felonies under Two Acts of the Ninth Year of King George the First and of the Twenty seventh Year of King George the Second; for making better Provision for the Punishment of Persons guilty of sending or delivering threatening Letters, and of Assaults with Intent to commit Robbery*, except so far as relates to any Person who shall send or deliver any Letter or Writing threatening to kill or murder, or to burn or destroy, as therein mentioned, or shall be accessory to any such Offence, or shall forcibly rescue any Person being lawfully in Custody for any such Offence; and an Act passed in the Sixth

6 G. 4. c. 19.

Year of the present Reign, intituled *An Act for the Amendment of the Law as to the Offence of sending threatening Letters*; and so much of an Act passed in the same Year of the present Reign,

6 G. 4. c. 94.

§ 7, 8, 9, & 10.

intituled *An Act to alter and amend an Act for the better Protection of the Property of Merchants and others, who may hereafter enter into Contracts or Agreements in relation to Goods, Wares, or Merchandize intrusted to Factors or Agents*, as relates to any Misdemeanor

demeanor therein mentioned; and also an Act passed in the Seventh Year of the present Reign, intituled *An Act to amend the Law in respect to the Offence of stealing from Gardens and Hot-houses*; and all Acts continuing or perpetuating any of the Acts or Parts of Acts hereinbefore referred to, so far only as relates to the continuing or perpetuating the same respectively, shall be and continue in force until and throughout the last Day of *June* in the present Year, and shall from and after that Day as to that Part of the United Kingdom called *England*, and as to Offences committed within the Jurisdiction of the Admiralty of *England*, be repealed; except so far as any of the said Acts may repeal the Whole or any Part of any other Acts; and except as to Offences and other Matters committed or done before or upon the said last Day of *June*, which shall be dealt with and punished as if this Act had not been passed.

II. Provided always, and be it enacted, That nothing in this Act contained shall in anywise affect or alter such Part of any Act as relates to the Post Office, or to any Branch of the Public Revenue, or to the Naval, Military, Victualling, or other Public Stores of His Majesty, His Heirs, or Successors, except the Acts of the Thirty first Year of Queen *Elizabeth* and of the Twenty second Year of King *Charles* the Second, which are hereinbefore repealed, or shall affect or alter any Act relating to the Bank of *England* or *South Sea Company*.

Not to repeal any Act relating to the Post Office, the Revenue, Public Stores, Bank of *England*, or *South Sea Company*.

C A P. XXVIII.

An Act for further improving the Administration of Justice in Criminal Cases in *England*. [21st June 1827.]

‘WHEREAS Trials for Criminal Offences in that Part of the United Kingdom called *England* are attended with some Forms which frequently impede the due Administration of Justice, and it is therefore expedient to abolish such Forms, and also to abolish the Benefit of Clergy, and to make better Provision for the Punishment of Offenders in certain Cases;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person, not having Privilege of Peerage, being arraigned upon any Indictment for Treason, Felony, or Piracy, shall plead thereto a plea of “Not guilty,” he shall by such Plea, without any further Form, be deemed to have put himself upon the Country for Trial; and the Court shall, in the usual Manner, order a Jury for the Trial of such Person accordingly.

A Plea of “Not Guilty,” without more, shall put the Prisoner on his Trial by Jury.

II. And be it enacted, That if any Person, being arraigned upon or charged with any Indictment or Information for Treason, Felony, Piracy, or Misdemeanor, shall stand mute of Malice, or will not answer directly to the Indictment or Information, in every such Case it shall be lawful for the Court, if it shall so think fit, to order the proper Officer to enter a Plea of “Not guilty” on Behalf of such Person; and the Plea so entered shall have the same Force and Effect as if such Person had actually pleaded the same.

If he refuses to plead, Court may order a Plea of “Not Guilty” to be entered.

Every Challenge beyond the legal Number shall be void.

Attainder of another Crime not pleadable.

Jury shall not enquire of Prisoner's Lands, &c. nor whether he fled.

Benefit of Clergy abolished.

What Felonies only shall be capital.

Felonies not capital punishable under the Acts, if any, relating thereto; otherwise under this Act.

The Court may order hard Labour or solitary Confinement as Part of the Sentence of Imprisonment.

If a Person under Sentence for another Crime is convicted of Felony, the Court may pass a Second Sentence, to commence after the

III. And be it enacted, That if any Person, indicted for any Treason, Felony, or Piracy, shall challenge peremptorily a greater Number of the Men returned to be of the Jury than such Person is entitled by Law so to challenge in any of the said Cases, every peremptory Challenge beyond the Number allowed by Law in any of the said Cases shall be entirely void, and the Trial of such Person shall proceed as if no such Challenge had been made.

IV. And be it enacted, That no Plea setting forth any Attainder shall be pleaded in bar of any Indictment, unless the Attainder be for the same Offence as that charged in the Indictment.

V. And be it enacted, That where any Person shall be indicted for Treason or Felony, the Jury empannelled to try such Person shall not be charged to enquire concerning his Lands, Tenements, or Goods, nor whether he fled for such Treason or Felony.

VI. And be it enacted, That Benefit of Clergy, with respect to Persons convicted of Felony, shall be abolished; but that nothing herein contained shall prevent the Joinder in any Indictment of any Counts which might have been joined before the passing of this Act.

VII. And be it enacted, That no Person convicted of Felony shall suffer Death, unless it be for some Felony which was excluded from the Benefit of Clergy before or on the First Day of the present Session of Parliament, or which hath been or shall be made punishable with Death by some Statute passed after that Day.

VIII. And be it enacted, That every Person convicted of any Felony, not punishable with Death, shall be punished in the Manner prescribed by the Statute or Statutes specially relating to such Felony; and that every Person convicted of any Felony, for which no Punishment hath been or hereafter may be specially provided, shall be deemed to be punishable under this Act, and shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

IX. And, with regard to the Place and Mode of Imprisonment for all Offences punishable under this Act, be it enacted, That where any Person shall be convicted of any Offence punishable under this Act, for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for the whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, as to the Court in its Discretion shall seem meet.

X. And be it enacted, That wherever Sentence shall be passed for Felony on a Person already imprisoned under Sentence for another Crime, it shall be lawful for the Court to award Imprisonment for the subsequent Offence, to commence at the Expiration of the Imprisonment to which such Person shall have been previously sentenced; and where such Person shall be already under Sentence either of Imprisonment or of Transportation, the Court, if empowered to pass Sentence of Transportation, may award such Sentence for the subsequent Offence, to commence at

at the Expiration of the Imprisonment or Transportation to which such Person shall have been previously sentenced, although the aggregate Term of Imprisonment or Transportation respectively may exceed the Term for which either of those Punishments could be otherwise awarded.

Expiration of the First.

‘ XI. And Whereas it is expedient to provide for the more exemplary Punishment of Offenders who commit Felony after a previous Conviction for Felony, whether such Conviction shall have taken place before or after the Commencement of this Act; Be it therefore enacted, That if any Person shall be convicted of any Felony, not punishable with Death, committed after a previous Conviction for Felony, such Person shall, on such subsequent Conviction, be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment; and in an Indictment for any such Felony committed after a previous Conviction for Felony, it shall be sufficient to state that the Offender was at a certain Time and Place convicted of Felony, without otherwise describing the previous Felony; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for the Previous Felony, purporting to be signed by the Clerk of the Court, or other Officer having the Custody of the Records of the Court where the Offender was first convicted, or by the Deputy of such Clerk or Officer (for which Certificate a Fee of Six Shillings and Eight Pence, and no more, shall be demanded or taken), shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the First Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same; and if any such Clerk, Officer, or Deputy shall utter a false Certificate of any Indictment and Conviction for a previous Felony, or if any Person, other than such Clerk, Officer, or Deputy, shall sign any such Certificate as such Clerk, Officer, or Deputy, or shall utter any such Certificate with a false or counterfeit Signature thereto, every such Offender shall be guilty of Felony, and, being lawfully convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Punishment for a subsequent Felony.

Form of Indictment for the subsequent Felony.

What shall be sufficient Proof of the First Conviction.

Uttering false Certificate of Conviction.

XII. And be it enacted, That all Offences prosecuted in the High Court of Admiralty of *England* shall, upon every first and subsequent Conviction, be subject to the same Punishments, whether of Death or otherwise, as if such Offences had been committed upon the Land.

Admiralty Offences.

XIII. And be it declared and enacted, That where the King's Majesty shall be pleased to extend His Royal Mercy to any Offender convicted of any Felony punishable with Death or otherwise, and by Warrant under His Royal Sign Manual, countersigned by One of His principal Secretaries of State, shall grant

Effect of a free or conditional Pardon to a Convict.

Proviso.

Rule for the
Interpretation
of all Criminal
Statutes.

Commence-
ment of this
Act.

Not to extend
to Scotland or
Ireland.

to such Offender either a free or a conditional Pardon, the Discharge of such Offender out of Custody in the Case of a free Pardon, and the Performance of the Condition in the Case of a conditional Pardon, shall have the Effect of a Pardon under the Great Seal for such Offender, as to the Felony for which such Pardon shall be so granted; Provided always, that no free Pardon, nor any such Discharge in Consequence thereof, nor any conditional Pardon, nor the Performance of the Condition thereof, in any of the Cases aforesaid, shall prevent or mitigate the Punishment to which the Offender might otherwise be lawfully sentenced on a subsequent Conviction for any Felony committed after the granting of any such Pardon.

XIV. And be it enacted, That wherever this or any other Statute relating to any Offence, whether punishable upon Indictment or summary Conviction, in describing or referring to the Offence or the Subject Matter on or with respect to which it shall be committed, or the Offender or the Party affected or intended to be affected by the Offence, hath used or shall use Words importing the Singular Number or the Masculine Gender only, yet the Statute shall be understood to include several Matters as well as One Matter, and several Persons as well as One Person, and Females as well as Males, and Bodies Corporate as well as Individuals, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and wherever any Forfeiture or Penalty is payable to a Party aggrieved, it shall be payable to a Body Corporate in every Case where such Body shall be the Party aggrieved.

XV. And be it enacted, That this Act shall commence and take effect on the First Day of *July* One thousand eight hundred and twenty seven.

XVI. Provided always, and be it enacted, That nothing herein contained shall extend to *Scotland* or *Ireland*.

C A P. XXIX.

An Act for consolidating and amending the Laws in *England* relative to Larceny and other Offences connected therewith.

[21st *June* 1827.]

‘ WHEREAS various Statutes now in force in that Part of the United Kingdom called *England*, relative to Larceny and other Offences of stealing, and to Burglary, Robbery, and Threats for the Purpose of Robbery or of Extortion, and to Embezzlement, false Pretences, and the Receipt of stolen Property, are by an Act of the present Session of Parliament repealed from and after the last Day of *June* in the present Year, except as to Offences committed before or upon that Day; and it is expedient that the Provisions contained in those various Statutes should be amended and consolidated into this Act, to take effect at the same Time as the said repealing Act;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence on the First Day of *July* in the present Year.

Commence-
ment of Act.

II. And

II. And be it enacted, That the Distinction between Grand Larceny and Petty Larceny shall be abolished, and every Larceny, whatever be the Value of the Property stolen, shall be deemed to be of the same Nature, and shall be subject to the same Incidents in all respects as Grand Larceny was before the Commencement of this Act; and every Court, whose Power as to the Trial of Larceny was before the Commencement of this Act limited to Petty Larceny, shall have Power to try every Case of Larceny the Punishment of which cannot exceed the Punishment herein-after mentioned for Simple Larceny, and also to try all Accessories to such Larceny.

Distinction between Grand and Petty Larceny abolished.

III. And be it enacted, That every Person convicted of Simple Larceny, or of any Felony hereby made punishable like Simple Larceny, shall (except in the Cases hereinafter otherwise provided for) be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Punishments for Simple Larceny.

IV. And, with regard to the Place and Mode of Imprisonment for all indictable Offences punishable under this Act, be it enacted, That where any Person shall be convicted of any Felony or Misdemeanor punishable under this Act, for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for the whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, as to the Court in its Discretion shall seem meet.

The Court may, for all Offences within this Act, order hard Labour or solitary Confinement.

V. And be it enacted, That if any Person shall steal any Tally, Order, or other Security whatsoever, entitling or evidencing the Title of any Person or Body Corporate to any Share or Interest in any Public Stock or Fund, whether of this Kingdom, or of *Great Britain* or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, or to any Deposit in any Savings Bank, or shall steal any Debenture, Deed, Bond, Bill, Note, Warrant, Order, or other Security whatsoever for Money or for Payment of Money, whether of this Kingdom, or of any Foreign State, or shall steal any Warrant or Order for the Delivery or Transfer of any Goods or valuable Thing, every such Offender shall be deemed guilty of Felony, of the same Nature, and in the same Degree, and punishable in the same Manner as if he had stolen any Chattel of like Value with the Share, Interest, or Deposit to which the Security so stolen may relate, or with the Money due on the Security so stolen or secured thereby and remaining unsatisfied, or with the Value of the Goods or other valuable Thing mentioned in the Warrant or Order; and each of the several Documents hereinbefore enumerated shall throughout this Act be deemed for every Purpose to be included under and denoted by the Words "valuable Security."

Stealing Public or Private Securities for Money, or Warrants for Goods, shall be Felony, and punishable according to the Circumstances, like stealing Goods.

VI. And be it enacted, That if any Person shall rob any other Person of any Chattel, Money, or valuable Security, every such Offender, being convicted thereof, shall suffer Death as a Felon; and

Rule of Interpretation.

Robbery from the Person. Stealing from the Person.

Assaults with Intent to commit Robbery, and Demands accompanied with Menaces or Force.

Obtaining Money, &c. by threatening to accuse a Party of an infamous Crime.

Sending Letters containing menacing Demands, or threatening to accuse a Party of an infamous Crime, to extort Money, &c.

What shall be deemed an infamous Crime.

Sacrilege, when capital.

Burglary, capital.

and if any Person shall steal any such Property from the Person of another, or shall assault any other Person with Intent to rob him, or shall with Menaces or by Force demand any such Property of any other Person with Intent to steal the same, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

VII. And be it declared and enacted, That if any Person shall accuse or threaten to accuse any other Person of any infamous Crime, as hereinafter defined, with a View or Intent to extort or gain from him, and shall by intimidating him by such Accusation or Threat extort or gain from him any Chattel, Money, or valuable Security, every such Offender shall be deemed guilty of Robbery, and shall be indicted and punished accordingly.

VIII. And be it enacted, That if any Person shall knowingly send or deliver any Letter or Writing, demanding of any Person, with Menaces, and without any reasonable or probable Cause, any Chattel, Money, or valuable Security; or if any Person shall accuse or threaten to accuse, or shall knowingly send or deliver any Letter or Writing accusing or threatening to accuse, any Person of any Crime punishable by Law with Death, Transportation, or Pillory, or of any Assault with Intent to commit any Rape, or of any Attempt or Endeavour to commit any Rape, or of any infamous Crime, as hereinafter defined, with a View or Intent to extort or gain from such Person any Chattel, Money, or valuable Security; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

IX. And, for defining what shall be an infamous Crime within the Meaning of this Act, be it enacted, That the abominable Crime of Buggery, committed either with Mankind or with Beast, and every Assault with Intent to commit the said abominable Crime, and every Attempt or Endeavour to commit the said abominable Crime, and every Solicitation, Persuasion, Promise, or Threat offered or made to any Person, whereby to move or induce such Person to commit or permit the said abominable Crime, shall be deemed to be an infamous Crime within the Meaning of this Act.

X. And be it enacted, That if any Person shall break and enter any Church or Chapel, and steal therein any Chattel, or having stolen any Chattel in any Church or Chapel, shall break out of the same, every such Offender, being convicted thereof, shall suffer Death as a Felon.

XI. And be it enacted, That every Person convicted of Burglary shall suffer Death as a Felon; and it is hereby declared, that if any Person shall enter the Dwelling House of another with Intent to

to commit Felony, or being in such Dwelling House shall commit any Felony, and shall in either Case break out of the said Dwelling House in the Night Time, such Person shall be deemed guilty of Burglary.

XII. And be it enacted, That if any Person shall break and enter any Dwelling House, and steal therein any Chattel, Money, or valuable Security to any Value whatever; or shall steal any such Property to any Value whatever in any Dwelling House, any Person therein being put in fear; or shall steal in any Dwelling House any Chattel, Money, or valuable Security to the Value in the whole of Five Pounds or more; every such Offender, being convicted thereof, shall suffer Death as a Felon.

Housebreaking and stealing in a House, when capital.

XIII. Provided always, and be it enacted, That no Building, although within the same Curtilage with the Dwelling House, and occupied therewith, shall be deemed to be Part of such Dwelling House for the Purpose of Burglary, or for any of the Purposes aforesaid, unless there shall be a Communication between such Building and Dwelling House, either immediate, or by means of a covered and inclosed Passage leading from the one to the other.

What Buildings only are Part of a House for capital Purposes.

XIV. And be it enacted, That if any Person shall break and enter any Building, and steal therein any Chattel, Money, or valuable Security, such Building being within the Curtilage of a Dwelling House, and occupied therewith, but not being Part thereof according to the Provision hereinbefore mentioned, every such Offender, being convicted thereof, either upon an Indictment for the same Offence, or upon an Indictment for Burglary, Housebreaking, or stealing to the Value of Five Pounds in a Dwelling House, containing a separate Count for such Offence, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Robbery in any Building within the same Curtilage as the House, but not privileged as Part of the House.

XV. And be it enacted, That if any Person shall break and enter any Shop, Warehouse, or Counting House, and steal therein any Chattel, Money, or valuable Security, every such Offender, being convicted thereof, shall be liable to any of the Punishments which the Court may award as hereinbefore last mentioned.

Robbery in a Shop, Warehouse, &c.

XVI. And be it enacted, That if any Person shall steal, to the Value of Ten Shillings, any Goods or Article of Silk, Woollen, Linen, or Cotton, or of any one or more of those Materials mixed with each other, or mixed with any other Material, whilst laid, placed, or exposed, during any Stage, Process, or Progress of Manufacture, in any Building, Field, or other Place, every such Offender, being convicted thereof, shall be liable to any of the Punishments which the Court may award as hereinbefore last mentioned.

Stealing certain Goods in Process of Manufacture.

XVII. And be it enacted, That if any Person shall steal any Goods or Merchandize in any Vessel, Barge, or Boat of any Description whatsoever, in any Port of Entry or Discharge, or upon any navigable River or Canal, or in any Creek belonging to or communicating with any such Port, River, or Canal, or shall steal any Goods or Merchandize from any Dock, Wharf, or Quay adjacent

Stealing Goods from a Vessel in a Port, River, or Canal, &c.

jacent to any such Port, River, Canal, or Creek, every such Offender, being convicted thereof, shall be liable to any of the Punishments which the Court may award as hereinbefore last mentioned.

Plundering any Part of the Tackle or Cargo of a ship-wrecked Vessel.

Proviso.

XVIII. And be it enacted, That if any Person shall plunder or steal any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on Shore, or any Goods, Merchandize, or Articles of any Kind belonging to such Ship or Vessel, every such Offender, being convicted thereof, shall suffer Death as a Felon: Provided always, that when Articles of small Value shall be stranded or cast on Shore, and shall be stolen without Circumstances of Cruelty, Outrage, or Violence, it shall be lawful to prosecute and punish the Offender as for Simple Larceny; and in either Case the Offender may be indicted and tried either in the County in which the Offence shall have been committed, or in any County next adjoining.

Persons in Possession of shipwrecked Goods, not giving a satisfactory Account.

See post, § 63.

XIX. And be it enacted, That if any Goods, Merchandize, or Articles of any Kind, belonging to any Ship or Vessel in Distress, or wrecked, stranded, or cast on Shore as aforesaid, shall, by virtue of a Search Warrant, to be granted as hereinafter mentioned, be found in the Possession of any Person, or on the Premises of any Person with his Knowledge, and such Person, being carried before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof; and the Offender, on Conviction of such Offence before the Justice, shall forfeit and pay, over and above the Value of the Goods, Merchandize, or Articles, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet.

See post, § 66 & 67.

If any Person offers shipwrecked Goods for Sale, the Goods may be seized, &c.

XX. And be it enacted, That if any Person shall offer or expose for Sale any Goods, Merchandize, or Articles whatsoever, which shall have been unlawfully taken, or reasonably suspected so to have been, from any Ship or Vessel in Distress, or wrecked, stranded, or cast on Shore as aforesaid, in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise, or Peace Officer, may lawfully seize the same, and shall with all convenient Speed carry the same, or give Notice of such Seizure, to some Justice of the Peace; and if the Person who shall have offered or exposed the same for Sale, being duly summoned by such Justice, shall not appear and satisfy the Justice that he came lawfully by such Goods, Merchandize, or Articles, then the same shall, by Order of the Justice, be forthwith delivered over to or for the Use of the rightful Owner thereof, upon Payment of a reasonable Reward (to be ascertained by the Justice) to the Person who seized the same; and the Offender, on Conviction of such Offence by the Justice, shall forfeit and pay, over and above the Value of the Goods, Merchandize, or Articles, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet.

See post, § 66 & 67.

The stealing, &c. of Records and other Proceedings of Courts of Justice.

XXI. And be it enacted, That if any Person shall steal, or shall for any fraudulent Purpose take from its Place of Deposit for the Time being, or from any Person having the lawful Custody thereof, or shall unlawfully and maliciously obliterate, injure, or destroy, any

any Record, Writ, Return, Panel, Process, Interrogatory, Deposition, Affidavit, Rule, Order, or Warrant of Attorney, or any original Document whatsoever of or belonging to any Court of Record, or relating to any Matter Civil or Criminal, begun, depending, or terminated in any such Court, or any Bill, Answer, Interrogatory, Deposition, Affidavit, Order, or Decree, or any original Document whatsoever of or belonging to any Court of Equity, or relating to any Cause or Matter begun, depending, or terminated in any such Court, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to suffer such other Punishment by Fine or Imprisonment, or by both, as the Court shall award; and it shall not in any Indictment for such Offence be necessary to allege that the Article, in respect of which the Offence is committed, is the Property of any Person, or that the same is of any Value.

XXII. And be it enacted, That if any Person shall, either during the Life of the Testator or Testatrix, or after his or her Death, steal, or for any fraudulent Purpose destroy or conceal, any Will, Codicil, or other Testamentary Instrument, whether the same shall relate to Real or Personal Estate, or to both, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award, as hereinbefore last mentioned; and it shall not in any Indictment for such Offence be necessary to allege that such Will, Codicil, or other Instrument, is the Property of any Person, or that the same is of any Value.

The stealing,
&c. of Wills.

XXIII. And be it enacted, That if any Person shall steal any Paper or Parchment, written or printed, or partly written and partly printed, being Evidence of the Title, or of any Part of the Title, to any Real Estate, every such Offender shall be deemed guilty of a Misdemeanor, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award, as hereinbefore last mentioned; and in any Indictment for such Offence, it shall be sufficient to allege the Thing stolen to be Evidence of the Title, or of Part of the Title, of the Person or of some one of the Persons having a present Interest, whether legal or equitable, in the Real Estate to which the same relates, and to mention such Real Estate, or some Part thereof; and it shall not be necessary to allege the Thing stolen to be of any Value.

The stealing of
Writings relating to Real
Estate.

XXIV. Provided always, and be it enacted, That nothing in this Act contained relating to either of the Misdemeanors aforesaid, nor any Proceeding, Conviction, or Judgment to be had or taken thereupon, shall prevent, lessen, or impeach any Remedy at Law or in Equity which any Party aggrieved by any such Offence might or would have had if this Act had not been passed; but nevertheless the Conviction of any such Offender shall not be received in Evidence in any Action at Law or Suit in Equity against him; and no Person shall be liable to be convicted of either of the Misdemeanors aforesaid, by any Evidence whatever, in respect of any Act done by him, if he shall at any Time previously to his being indicted for such Offence have disclosed such Act, on Oath, in consequence of any compulsory Process of any Court

These Provi-
sions as to Wills
and Writings,
shall not lessen
any Remedy
which the Party
aggrieved now
has.

of Law or Equity in any Action, Suit, or Proceeding which shall have been *bonâ fide* instituted by any Party aggrieved, or if he shall have disclosed the same in any Examination or Deposition before any Commissioners of Bankrupt.

Stealing
Horses, Cows,
and Sheep.

XXV. And be it enacted, That if any Person shall steal any Horse, Mare, Gelding, Colt, or Filly, or any Bull, Cow, Ox, Heifer, or Calf, or any Ram, Ewe, Sheep, or Lamb, or shall wilfully kill any of such Cattle, with Intent to steal the Carcase or Skin, or any Part of the Cattle so killed, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Stealing, &c.
Deer in any
inclosed
Ground, Fe-
lony.

XXVI. And be it enacted, That if any Person shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the inclosed Part of any Forest, Chase, or Purlieu, or in any inclosed Land wherein Deer shall be usually kept, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny; and if any Person shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in the uninclosed Part of any Forest, Chase, or Purlieu, he shall for every such Offence, on Conviction thereof before a Justice of the Peace, forfeit and pay such Sum, not exceeding Fifty Pounds, as to the Justice shall seem meet; and if any Person, who shall have been previously convicted of any Offence relating to Deer for which a pecuniary Penalty is by this Act imposed, shall offend a Second Time, by committing any of the Offences hereinbefore last enumerated, such Second Offence, whether it be of the same Description as the First Offence or not, shall be deemed Felony, and such Offender, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

The like in cer-
tain uninclosed
Ground punish-
able summarily.
See post, § 66
& 67.

Deer-stealing
in uninclosed
Ground after
any other
Offence as to
Deer, Felony.

Suspected Per-
sons, found in
Possession of
Venison, &c.
and not satis-
factorily ac-
counting for it.

XXVII. And be it enacted, That if any Deer, or the Head, Skin, or other Part thereof, or any Snare or Engine for the taking of Deer, shall by virtue of a Search Warrant, to be granted as hereinafter mentioned, be found in the Possession of any Person, or on the Premises of any Person with his Knowledge, and such Person, being carried before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by such Deer, or the Head, Skin, or other Part thereof, or had a lawful Occasion for such Snare or Engine, and did not keep the same for any unlawful Purpose, he shall, on Conviction by the Justice, forfeit and pay any Sum not exceeding Twenty Pounds; and if any such Person shall not under the Provisions aforesaid be liable to Conviction, then for the Discovery of the Party who actually killed or stole such Deer, it shall be lawful for the Justice, at his Discretion, as the Evidence given and the Circumstances of the Case shall require, to summon before him every Person through whose Hands such Deer, or the Head, Skin, or other Part thereof, shall appear to have passed; and if the Person from whom the same shall have been first received, or who shall have had Possession thereof, shall not satisfy the Justice that he came lawfully by the same, he shall, on Conviction by the Justice, be liable to the Payment of such Sum of Money as is hereinbefore last mentioned.

See post, § 63.
See post, § 66
& 67.

In case they
cannot be con-
victed, how the
Justice may
proceed.

XXVIII. And

XXVIII. And be it enacted, That if any Person shall unlawfully and wilfully set or use any Snare or Engine whatsoever, for the Purpose of taking or killing Deer, in any Part of any Forest, Chase, or Purlieu, whether such Part be inclosed or not, or in any Fence or Bank dividing the same from any Land adjoining, or in any inclosed Land where Deer shall be usually kept, or shall unlawfully and wilfully destroy any Part of the Fence of any Land where any Deer shall be then kept, every such Offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet.

XXIX. And be it enacted, That if any Person shall enter into any Forest, Chase, or Purlieu, whether inclosed or not, or into any inclosed Land where Deer shall be usually kept, with Intent unlawfully to hunt, course, wound, kill, snare, or carry away any Deer, it shall be lawful for every Person intrusted with the Care of such Deer, and for any of his Assistants, whether in his Presence or not, to demand from every such Offender any Gun, Fire Arms, Snare, or Engine in his Possession, and any Dog there brought for hunting, coursing, or killing Deer, and in case such Offender shall not immediately deliver up the same, to seize and take the same from him in any of those respective Places, or, upon Pursuit made, in any other Place to which he may have escaped therefrom, for the Use of the Owner of the Deer; and if any such Offender shall unlawfully beat or wound any Person intrusted with the Care of the Deer, or any of his Assistants, in the Execution of any of the Powers given by this Act, every such Offender shall be guilty of Felony; and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

XXX. And be it enacted, That if any Person shall unlawfully and wilfully in the Night-time take or kill any Hare or Cony in any Warren or Ground lawfully used for the breeding or keeping of Hares or Conies, whether the same be inclosed or not, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be punished accordingly; and if any Person shall unlawfully and wilfully in the Day-time take or kill any Hare or Cony in any such Warren or Ground, or shall at any Time set or use therein any Snare or Engine for the taking of Hares or Conies, every such Offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet: Provided always, that nothing herein contained shall affect any Person taking or killing in the Day-time any Conies on any Sea Bank or River Bank in the County of *Lincoln*, so far as the Tide shall extend, or within One Furlong of such Bank.

XXXI. And be it enacted, That if any Person shall steal any Dog, or shall steal any Beast or Bird ordinarily kept in a State of Confinement, not being the Subject of Larceny at Common Law, every such Offender, being convicted thereof before a Justice of the Peace, shall for the First Offence forfeit and pay, over and above the Value of the Dog, Beast, or Bird, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner,

Setting Engines for taking Deer, or pulling down Park Fences.
See post, § 66 & 67.

Deer Keepers, &c. may seize the Guns, &c. of Offenders who, on Demand, do not deliver up the same.

Resistance to Keepers, &c. in the Execution of their Duty.

Killing, &c. Hares or Conies in a Warren in the Night-time.

The like in the Day-time.

See post, § 66 & 67.

Proviso.

Stealing Dogs, or stealing Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny.

See post, § 66 & 67.

ner, every such Offender shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Twelve Calendar Months, as the convicting Justice shall think fit; and if such subsequent Conviction shall take place before Two Justices, they may further order the Offender, if a Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction.

Persons found
in Possession of
stolen Dogs,
&c. liable to
Penalties.

See *post*, § 63.

XXXII. And be it enacted, That if any Dog or any such Beast, or the Skin thereof, or any such Bird, or any of the Plumage thereof, shall be found in the Possession or on the Premises of any Person by virtue of a Search Warrant, to be granted as hereinafter mentioned, the Justice by whom such Warrant was granted may restore the same respectively to the Owner thereof; and the Person in whose Possession or on whose Premises the same shall be so found (such Person knowing that the Dog, Beast, or Bird has been stolen, or that the Skin is the Skin of a stolen Dog or Beast, or that the Plumage is the Plumage of a stolen Bird), shall, on Conviction before a Justice of the Peace, be liable for the First Offence to such Forfeiture, and for every subsequent Offence to such Punishment, as Persons convicted of stealing any Dog, Beast, or Bird, are hereinbefore made liable to.

Killing Pi-
geons.

See *post*, § 66
& 67.

XXXIII. And be it enacted, That if any Person shall unlawfully and wilfully kill, wound, or take any House Dove or Pigeon, under such Circumstances as shall not amount to Larceny at Common Law, every such Offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay, over and above the Value of the Bird, any Sum not exceeding Two Pounds.

Taking Fish
in any Water
situate in Land
belonging to a
Dwelling
House;

in any private
Fishery else-
where.

See *post*, § 66
& 67.

XXXIV. And be it enacted, That if any Person shall unlawfully and wilfully take or destroy any Fish in any Water which shall run through or be in any Land adjoining or belonging to the Dwelling House of any Person being the Owner of such Water, or having a Right of Fishery therein, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be punished accordingly; and if any Person shall unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any Water not being such as aforesaid, but which shall be private Property, or in which there shall be any private Right of Fishery, every such Offender, being convicted thereof before a Justice of the Peace, shall forfeit and pay, over and above the Value of the Fish taken or destroyed (if any), such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet: Provided always, that nothing hereinbefore contained shall extend to any Person angling in the Day-time; but if any Person shall by angling in the Day-time unlawfully and wilfully take or destroy, or attempt to take or destroy, any Fish in any such Water as first mentioned, he shall, on Conviction before a Justice of the Peace, forfeit and pay any Sum not exceeding Five Pounds; and if in any such Water as last mentioned, he shall, on the like Conviction, forfeit and pay any Sum not exceeding Two Pounds, as to the Justice shall seem meet; and if the boundary of any Parish, Township, or Vill shall happen to be in or by the Side of any such Water as is hereinbefore mentioned, it shall be sufficient to prove that the Offence was committed either in the Parish, Town-ship,

Provision re-
specting An-
glers.

See *post*, § 66
& 67.

ship, or Vill named in the Indictment or Information, or in any Parish, Township, or Vill adjoining thereto.

XXXV. And be it enacted, That if any Person shall at any Time be found fishing against the Provisions of this Act, it shall be lawful for the Owner of the Ground, Water, or Fishery where such Offender shall be so found, his Servants, or any Person authorized by him, to demand from such Offender any Rods, Lines, Hooks, Nets, or other Implements for taking or destroying Fish, which shall then be in his Possession, and in case such Offender shall not immediately deliver up the same, to seize and take the same from him for the Use of such Owner: Provided always, that any Person angling in the Daytime against the Provisions of this Act, from whom any Implements used by Anglers shall be taken, or by whom the same shall be delivered up as aforesaid, shall by the taking or delivering thereof be exempted from the Payment of any Damages or Penalty for such Angling.

The Tackle of Fishers may be seized.

Angler, on Seizure of his Tackle, exempt from Penalty.

XXXVI. And be it enacted, That if any Person shall steal any Oysters or Oyster Brood from any Oyster Bed, Laying, or Fishery, being the Property of any other Person, and sufficiently marked out or known as such, every such Offender shall be deemed guilty of Larceny, and, being convicted thereof, shall be punished accordingly; and if any Person shall unlawfully and wilfully use any Dredge, or any Net, Instrument, or Engine whatsoever, within the Limits of any such Oyster Fishery, for the Purpose of taking Oysters or Oyster Brood, although none shall be actually taken, or shall, with any Net, Instrument, or Engine, drag upon the Ground or Soil of any such Fishery, every such Person shall be deemed guilty of a Misdemeanor, and, being convicted thereof, shall be punished by Fine or Imprisonment, or both, as the Court shall award; such Fine not to exceed Twenty Pounds, and such Imprisonment not to exceed Three Calendar Months; and it shall be sufficient in any Indictment or Information to describe, either by Name or otherwise, the Bed, Laying, or Fishery in which any of the said Offences shall have been committed, without stating the same to be in any particular Parish, Township, or Vill: Provided always, that nothing herein contained shall prevent any Person from catching or fishing for any floating Fish within the Limits of any Oyster Fishery with any Net, Instrument, or Engine adapted for taking floating Fish only.

Stealing Oysters or Oyster Brood from Oyster Beds.

Dredging for Oysters within the Limits of any Oyster Fishery.

Proviso.

XXXVII. And be it enacted, That if any Person shall steal, or sever with Intent to steal, the Ore of any Metal, or any Lapis Calaminaris, Manganese or Mundick, or any Wad, Black Cawke, or Black Lead, or any Coal or Cannel Coal, from any Mine, Bed, or Vein thereof respectively, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Stealing from certain Mines.

XXXVIII. And be it enacted, That if any Person shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, every such Offender (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of One Pound)

Stealing Trees, Shrubs, &c. growing in certain Situations, shall be Felony, if the Value exceeds 1l.

Stealing Trees, Shrubs, &c. growing elsewhere, shall be Felony, if the Value exceeds 5*l*.

Stealing Trees, Shrubs, &c. wheresoever growing, and of any Value above 1*s*., punishable on summary Conviction for First and Second Offence; Third Offence, Felony.

See post, § 66 & 67.

shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny; and if any Person shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing elsewhere than in any of the Situations hereinbefore mentioned, every such Offender (in case the Value of the Article or Articles stolen, or the Amount of the Injury done, shall exceed the Sum of Five Pounds) shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

XXXIX. And be it enacted, That if any Person shall steal, or shall cut, break, root up, or otherwise destroy, or damage with Intent to steal, the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be respectively growing, the stealing of such Article or Articles, or the Injury done, being to the Amount of a Shilling at the least, every such Offender, being convicted before a Justice of the Peace, shall for the First Offence forfeit and pay, over and above the Value of the Article or Articles stolen, or the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner, every such Offender shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Twelve Calendar Months, as the convicting Justice shall think fit; and if such Second Conviction shall take place before Two Justices, they may further order the Offender, if a Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction; and if any Person so twice convicted shall afterwards commit any of the said Offences, such Offender shall be deemed guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Stealing, &c. any live or dead Fence, Wooden Fence, Stile, or Gate.

See post, § 66 & 67.

XL. And be it enacted, That if any Person shall steal, or shall cut, break, or throw down with Intent to steal, any Part of any live or dead Fence, or any Wooden Post, Pale, or Rail set up, or used as a Fence, or any Stile or Gate, or any Part thereof respectively, every such Offender, being convicted before a Justice of the Peace, shall for the First Offence forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner, every such Offender shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Twelve Calendar Months, as the convicting Justice shall think fit; and if such subsequent Conviction shall take place before Two Justices, they may further order the Offender, if a Male,

Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction.

XXI. And be it enacted, That if the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the Value of Two Shillings at the least, shall, by virtue of a Search Warrant, to be granted as hereinafter mentioned, be found in the Possession of any Person, or on the Premises of any Person, with his Knowledge, and such Person, being carried before a Justice of the Peace, shall not satisfy the Justice that he came lawfully by the same, he shall on Conviction by the Justice forfeit and pay, over and above the Value of the Article or Articles so found, any Sum not exceeding Two Pounds.

XLII. And be it enacted, That if any Person shall steal, or shall destroy or damage with Intent to steal, any Plant, Root, Fruit, or Vegetable Production, growing in any Garden, Orchard, Nursery Ground, Hothouse, Greenhouse, or Conservatory, every such Offender, being convicted thereof before a Justice of the Peace, shall, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour for any Term not exceeding Six Calendar Months, or else shall forfeit and pay, over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards commit any of the said Offences, such Offender shall be deemed guilty of Felony, and being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

XLIII. And be it enacted, That if any Person shall steal, or shall destroy or damage with Intent to steal, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, every such Offender, being convicted before a Justice of the Peace, shall, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for any Term not exceeding One Calendar Month, or else shall forfeit and pay over and above the Value of the Article or Articles so stolen, or the Amount of the Injury done, such Sum of Money, not exceeding Twenty Shillings, as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs, (if ordered,) shall be committed as aforesaid, for any Term not exceeding One Calendar Month, unless Payment be sooner made; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner, every such Offender shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Six Calendar Months, as the convicting Justice shall think fit; and if such subsequent Conviction shall take place before two Justices, they may further order the Offender, if a Male, to be

Suspected Persons in possession of Wood, &c. not satisfactorily accounting for it.

See post, § 63.

See post, § 66 & 67.

Stealing, &c. any Fruit or Vegetable Production in a Garden, &c. punishable on summary Conviction for First Offence;

Second Offence, Felony.

See post, § 66 & 67.

Stealing, &c. Vegetable Productions not growing in Gardens, &c.

See post, § 66 & 67.

once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction.

Stealing Glass,
Woodwork, or
Fixtures of any
Kind from
Buildings, and
Metal Fixtures
from Grounds.

XLIV. And be it enacted, That if any Person shall steal, or rip, cut, or break, with Intent to steal any Glass or Wood-work belonging to any Building whatsoever, or any Lead, Iron, Copper, Brass, or other Metal, or any Utensil or Fixture, whether made of Metal or other Material, respectively fixed in or to any Building whatsoever, or any thing made of Metal fixed in any Land being private Property, or for a Fence to any Dwelling House, Garden, or Area, or in any Square, Street, or other Place dedicated to Public Use or Ornament, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny; and in case of any such Thing fixed in any Square, Street, or other like Place, it shall not be necessary to allege the same to be the Property of any Person.

Tenants and
Lodgers steal-
ing any Pro-
perty from
Houses or
Apartments let
to them.

XLV. And, for the Punishment of Depredations committed by Tenants and Lodgers, be it enacted, That if any Person shall steal any Chattel or Fixture let to be used by him or her in or with any House or Lodging, whether the Contract shall have been entered into by him or her, or by her Husband, or by any Person on behalf of him or her, or her Husband, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable to be punished in the same Manner as in the Case of Simple Larceny; and in every such Case of stealing any Chattel it shall be lawful to prefer an Indictment in the common Form as for Larceny, and in every such Case of stealing any Fixture to prefer an Indictment in the same Form as if the Offender were not a Tenant or Lodger, and in either Case to lay the Property in the Owner or Person letting to Hire.

Clerks and Ser-
vants stealing
Property of
their Masters.

XLVI. And, for the Punishment of Depredations committed by Clerks and Servants in Cases not punishable capitally, be it enacted, That if any Clerk or Servant shall steal any Chattel, Money, or valuable Security belonging to or in the Possession or Power of his Master, every such Offender, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such Imprisonment.

Clerks or Ser-
vants receiving
any Money, &c.
on their Master's
Account, and
embezzling it,
shall be deemed
to have felo-
niously stolen
it.

XLVII. And, for the Punishment of Embezzlements committed by Clerks and Servants, be it declared and enacted, That if any Clerk or Servant, or any Person employed for the Purpose or in the Capacity of a Clerk or Servant, shall, by virtue of such Employment, receive or take into his Possession any Chattel, Money, or valuable Security, for or in the Name or on the Account of his Master, and shall fraudulently embezzle the same, or any Part thereof, every such Offender shall be deemed to have feloniously stolen the same from his Master, although such Chattel, Money, or Security, was not received into the Possession of such Master otherwise than by the actual Possession of his Clerk, Servant, or other Person so employed; and every such Offender, being convicted thereof, shall be liable, at the Discretion of the Court,

Court, to any of the Punishments which the Court may award as hereinbefore last mentioned.

XLVIII. And, for preventing the Difficulties that have been experienced in the Prosecution of the last-mentioned Offenders, be it enacted, That it shall be lawful to charge in the Indictment and proceed against the Offender for any Number of distinct Acts of Embezzlement not exceeding Three, which may have been committed by him against the same Master, within the Space of Six Calendar Months from the first to the last of such Acts; and in every such Indictment, except where the Offence shall relate to any Chattel, it shall be sufficient to allege the Embezzlement to be of Money, without specifying any particular Coin or valuable Security; and such Allegation, so far as regards the Description of the Property, shall be sustained, if the Offender shall be proved to have embezzled any Amount, although the particular Species of Coin or valuable Security of which such Amount was composed shall not be proved; or if he shall be proved to have embezzled any Piece of Coin or valuable Security, or any Portion of the Value thereof, although such Piece of Coin or valuable Security may have been delivered to him in order that some Part of the Value thereof should be returned to the Party delivering the same, and such Part shall have been returned accordingly.

XLIX. And, for the Punishment of Embezzlements committed by Agents intrusted with Property, be it enacted, That if any Money, or Security for the Payment of Money, shall be intrusted to any Banker, Merchant, Broker, Attorney, or other Agent, with any Direction in Writing to apply such Money, or any Part thereof, or the Proceeds or any Part of the Proceeds of such Security, for any Purpose specified in such Direction, and he shall, in violation of good Faith, and contrary to the Purpose so specified, in anywise convert to his own Use or Benefit such Money, Security, or Proceeds, or any Part thereof respectively, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to suffer such other Punishment by Fine or Imprisonment, or by both, as the Court shall award; and if any Chattel or valuable Security, or any Power of Attorney for the Sale or Transfer of any Share or Interest in any Public Stock or Fund, whether of this Kingdom, or of *Great Britain* or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, shall be intrusted to any Banker, Merchant, Broker, Attorney, or other Agent, for safe Custody, or for any special Purpose, without any Authority to sell, negotiate, transfer, or pledge, and he shall, in violation of good Faith, and contrary to the Object or Purpose for which such Chattel, Security, or Power of Attorney shall have been intrusted to him, sell, negotiate, transfer, pledge, or in any Manner convert to his own Use or Benefit such Chattel or Security, or the Proceeds of the same, or any Part thereof, or the Share or Interest in the Stock or Fund to which such Power of Attorney shall relate, or any Part thereof, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court,

Distinct Acts of Embezzlement may be charged in the same Indictment.

As to Allegation and Proof of the Property embezzled.

Agents embezzling Money intrusted to them to be applied to any special Purpose;

or embezzling any Goods or valuable Security intrusted to them for safe Custody, or for any special Purpose, guilty of a Misdemeanor.

to any of the Punishments which the Court may award, as hereinbefore last mentioned.

Not to affect
Trustees or
Mortgagees ;

nor Bankers,
&c. receiving
Money due on
Securities,

or disposing
of Securities on
which they have
a Lien.

Factors pledg-
ing for their
own Use any
Goods or Do-
cuments relat-
ing to Goods
intrusted to
them for the
Purpose of
Sale, guilty of
a Misdemeanor.

Not to extend
to Cases where
the Pledge does
not exceed the
Amount of
their Lien.

These Provi-
sions as to
Agents shall
not lessen any
Remedy which
the Party ag-
grieved now
has.

L. Provided always, and be it enacted, That nothing hereinbefore contained relating to Agents shall affect any Trustee in or under any Instrument whatever, or any Mortgagee of any Property, Real or Personal, in respect of any Act done by such Trustee or Mortgagee in relation to the Property comprised in or affected by any such Trust or Mortgage ; nor shall restrain any Banker, Merchant, Broker, Attorney, or other Agent, from receiving any Money which shall be or become actually due and payable upon or by virtue of any valuable Security, according to the Tenour and Effect thereof, in such Manner as he might have done if this Act had not been passed ; nor from selling, transferring, or otherwise disposing of any Securities or Effects in his Possession, upon which he shall have any Lien, Claim, or Demand entitling him by Law so to do, unless such Sale, Transfer, or other Disposal shall extend to a greater Number or Part of such Securities or Effects than shall be requisite for satisfying such Lien, Claim, or Demand.

LL. And be it enacted, That if any Factor or Agent intrusted, for the Purpose of Sale, with any Goods or Merchandize, or intrusted with any Bill of Lading, Warehouse Keeper's or Wharfinger's Certificate, or Warrant or Order for Delivery of Goods or Merchandize, shall, for his own Benefit and in violation of good Faith, deposit or pledge any such Goods or Merchandize, or any of the said Documents, as a Security for any Money or negotiable Instrument borrowed or received by such Factor or Agent, at or before the Time of making such Deposit or Pledge, or intended to be thereafter borrowed or received, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to suffer such other Punishment by Fine or Imprisonment, or by both, as the Court shall award ; but no such Factor or Agent shall be liable to any Prosecution for depositing or pledging any such Goods or Merchandize, or any of the said Documents, in case the same shall not be made a Security for or subject to the Payment of any greater Sum of Money than the Amount which, at the Time of such Deposit or Pledge, was justly due and owing to such Factor or Agent from his Principal, together with the Amount of any Bill or Bills of Exchange, drawn by or on account of such Principal, and accepted by such Factor or Agent.

LII. Provided always, and be it enacted, That nothing in this Act contained, nor any Proceeding, Conviction, or Judgment to be had or taken thereupon, against any Banker, Merchant, Broker, Factor, Attorney, or other Agent as aforesaid, shall prevent, lessen, or impeach any Remedy at Law or in Equity which any Party aggrieved by any such Offence might or would have had if this Act had not been passed ; but nevertheless the Conviction of any such Offender shall not be received in Evidence in any Action at Law or Suit in Equity against him ; and no Banker, Merchant, Broker, Factor, Attorney, or other Agent as aforesaid, shall be liable to be convicted by any Evidence whatever as an Offender against this

this Act, in respect of any Act done by him, if he shall at any Time previously to his being indicted for such Offence have disclosed such Act, on Oath, in consequence of any compulsory Process of any Court of Law or Equity in any Action, Suit, or Proceeding which shall have been *bond fide* instituted by any Party aggrieved, or if he shall have disclosed the same in any Examination or Deposition before any Commissioners of Bankrupt.

LIII. And Whereas a Failure of Justice frequently arises from 'the subtle Distinction between Larceny and Fraud;' For Remedy thereof be it enacted, That if any Person shall by any false Pretence obtain from any other Person any Chattel, Money, or valuable Security, with Intent to cheat or defraud any Person of the same, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to suffer such other Punishment, by Fine or Imprisonment, or by both, as the Court shall award: Provided always, that if upon the Trial of any Person indicted for such Misdemeanor it shall be proved that he obtained the Property in question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted of such Misdemeanor; and no such Indictment shall be removable by Certiorari; and no Person tried for such Misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same Facts.

LIV. And, with regard to Receivers of Stolen Property, be it enacted, That if any Person shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing or taking whereof shall amount to a Felony, either at Common Law, or by virtue of this Act, such Person knowing the same to have been feloniously stolen or taken, every such Receiver shall be guilty of Felony, and may be indicted and convicted either as an Accessory after the Fact, or for a substantive Felony, and in the latter Case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice; and every such Receiver, howsoever convicted, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such Imprisonment: Provided always, that no Person, howsoever tried for receiving as aforesaid, shall be liable to be prosecuted a Second Time for the same Offence.

LV. And be it enacted, That if any Person shall receive any Chattel, Money, valuable Security, or other Property whatsoever, the stealing, taking, obtaining, or converting whereof is made an indictable Misdemeanor by this Act, such Person knowing the same to have been unlawfully stolen, taken, obtained, or converted, every such Receiver shall be guilty of a Misdemeanor, and may be indicted and convicted thereof, whether the Person guilty of the principal Misdemeanor shall or shall not have been previously convicted thereof, or shall or shall not be amenable to Justice; and every such Receiver shall, on Conviction, be liable, at the Discretion of the Court, to be transported beyond the Seas for

Obtaining Money, &c. by false Pretences, a Misdemeanor.

No Acquittal on the ground that the Case proved amounts to Larceny.

Where the original Offence is Felony, the Receivers of Stolen Property may be tried either as Accessories after the Fact, or for a substantive Felony.

Where the original Offence is a Misdemeanor, Receivers may be prosecuted for a Misdemeanor.

the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such Imprisonment.

All Receivers may be tried where the Principal is triable, or where the Property is found in their Possession, as well as where the receiving takes place.

LVI. And be it enacted, That if any Person shall receive any Chattel, Money, valuable Security, or other Property whatsoever, knowing the same to have been feloniously or unlawfully stolen, taken, obtained, or converted, every such Person, whether charged as an Accessory after the Fact to the Felony, or with a substantive Felony, or with a Misdemeanor only, may be dealt with, indicted, tried, and punished in any County or Place in which he shall have or shall have had any such Property in his Possession, or in any County or Place in which the Party guilty of the principal Felony or Misdemeanor may by Law be tried, in the same Manner as such Receiver may be dealt with, indicted, tried, and punished in the County or Place where he actually received such Property.

The Owner of stolen Property prosecuting Thief or Receiver to Conviction shall have Restitution of his Property.

LVII. And, to encourage the Prosecution of Offenders, be it enacted, That if any Person, guilty of any such Felony or Misdemeanor as aforesaid, in stealing, taking, obtaining, or converting, or in knowingly receiving any Chattel, Money, valuable Security, or other Property whatsoever, shall be indicted for any such Offence, by or on the behalf of the Owner of the Property, or his Executor or Administrator, and convicted thereof, in such Case the Property shall be restored to the Owner or his Representative; and the Court, before whom any such Person shall be so convicted, shall have Power to award from time to time Writs of Restitution for the said Property, or to order the Restitution thereof in a summary Manner: Provided always, that if it shall appear before any Award or Order made that any valuable Security shall have been *bonâ fide* paid or discharged by some Person or Body Corporate liable to the Payment thereof, or being a negotiable Instrument shall have been *bonâ fide* taken or received by Transfer or Delivery, by some Person or Body Corporate, for a just and valuable Consideration, without any Notice, or without any reasonable Cause to suspect that the same had by any Felony or Misdemeanor been stolen, taken, obtained, or converted as aforesaid, in such Case the Court shall not award or order the Restitution of such Security.

Exception.

Taking a Reward for helping to the Recovery of stolen Property without bringing the Offender to Trial.

LVIII. And be it enacted, That every Person who shall corruptly take any Money or Reward, directly or indirectly, under Pretence or upon Account of helping any Person to any Chattel, Money, valuable Security, or other Property whatsoever, which shall by any Felony or Misdemeanor have been stolen, taken, obtained, or converted as aforesaid, shall (unless he cause the Offender to be apprehended and brought to Trial for the same) be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years, and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit) in addition to such Imprisonment.

Advertising a Reward for the Return of stolen Property, &c.

LIX. And be it enacted, That if any Person shall publicly advertise a Reward for the Return of any Property whatsoever which shall have been stolen or lost, and shall in such Advertisement

ment use any Words purporting that no Questions will be asked, or shall make use of any Words in any public Advertisement purporting that a Reward will be given or paid for any Property which shall have been stolen or lost without seizing or making any Enquiry after the Person producing such Property, or shall promise or offer in any such public Advertisement to return to any Pawnbroker or other Person who may have bought or advanced Money by way of Loan upon any Property stolen or lost, the Money so paid or advanced, or any other Sum of Money or Reward for the Return of such Property, or if any Person shall print or publish any such Advertisement, in any of the above Cases every such Person shall forfeit the Sum of Fifty Pounds for every such Offence, to any Person who will sue for the same by Action of Debt, to be recovered with full Costs of Suit.

LX. And be it enacted, That where the stealing or taking of any Property whatsoever is by this Act punishable on summary Conviction, either for every Offence, or for the First and Second Offence only, or for the First Offence only, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of receiving, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

LXI. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable with Death or otherwise, in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act (except only a Receiver of stolen Property) shall on Conviction be liable to be imprisoned for any Term not exceeding Two Years; and every Person, who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act, shall be liable to be indicted and punished as a principal Offender.

LXII. And be it enacted, That if any Person shall aid, abet, counsel, or procure the Commission of any Offence which is by this Act punishable on summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, every such Person shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence, as a principal Offender, is by this Act made liable.

LXIII. And, for the more effectual Apprehension and Discovery of all Offenders punishable under this Act, be it enacted, That any Person found committing any Offence punishable, either upon Indictment or upon summary Conviction, by virtue of this Act, except only the Offence of Angling in the Day-time, may be immediately apprehended without a Warrant by any Peace Officer, or by the Owner of the Property on or with respect to which the Offence shall be committed, or by his Servant or any Person authorized by him, and forthwith taken before some

Receivers of Property, where the original Offence is punishable on summary Conviction.

Principals in the Second Degree and Accessories.

Abettors in Misdemeanors.

Abettors in Offences punishable on summary Conviction.

A Person in the Act of committing any Offence may be apprehended without a Warrant.

A Justice, upon good Grounds of Suspicion proved on Oath, may grant a Search Warrant.

Any Person, to whom stolen Property is offered, may seize the Party offering it. Limitation as to summary Proceedings.

Competency of Witnesses.

Mode of compelling the Appearance of Persons punishable on summary Conviction.

Application of Forfeitures and Penalties on summary Convictions.

neighbouring Justice of the Peace, to be dealt with according to Law; and if any credible Witness shall prove, upon Oath before a Justice of the Peace, a reasonable Cause to suspect that any Person has in his Possession or on his Premises any Property whatsoever, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and any Person, to whom any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required to apprehend and forthwith to carry before a Justice of the Peace the Party offering the same, together with such Property, to be dealt with according to Law.

LXIV. And be it enacted, That the Prosecution for every Offence punishable on summary Conviction under this Act shall be commenced within Three Calendar Months after the Commission of the Offence, and not otherwise; and the Evidence of the Party aggrieved shall be admitted in proof of the Offence, and also the Evidence of any Inhabitant of the County, Riding, or Division in which the Offence shall have been committed, notwithstanding any Penalty or Forfeiture incurred by the Offence may be payable to the general Rate of such County, Riding, or Division.

LXV. And, for the more effectual Prosecution of all Offences punishable on summary Conviction under this Act, be it enacted, That where any Person shall be charged, on the Oath of a credible Witness, before any Justice of the Peace with any such Offence, the Justice may summon the Person charged to appear at a Time and Place to be named in such Summons, and, if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person, by delivering the same to him personally, or by leaving the same at his usual Place of Abode) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person, and bringing him before himself or some other Justice of the Peace, or the Justice before whom the Charge shall be made may (if he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant, and the Justice before whom the Person charged shall appear or be brought shall proceed to hear and determine the Case.

LXVI. And, with regard to the Application of all Forfeitures and Penalties upon summary Convictions under this Act, be it enacted, That every Sum of Money, which shall be forfeited for the Value of any Property stolen or taken, or for the Amount of any Injury done (such Value or Amount to be assessed in each Case by the Convicting Justice), shall be paid to the Party aggrieved, if known, except where such Party shall have been examined in proof of the Offence, and in that Case, or where the Party aggrieved is unknown, such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Value or Amount, or otherwise, shall be paid to some One of the Overseers of the Poor, or to some other Officer (as

(as the Justice may direct) of the Parish, Township, or Place in which the Offence shall have been committed, to be by such Overseer or Officer paid over to the Use of the General Rate of the County, Riding, or Division in which such Parish, Township, or Place shall be situate, whether the same shall or shall not contribute to such General Rate: Provided always, that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Value of the Property or to the Amount of the Injury, in every such Case no further Sum shall be paid to the Party aggrieved than that which shall be forfeited by One of such Offenders only; and the corresponding Sum or Sums forfeited by the other Offender or Offenders shall be applied in the same Manner as any Penalty imposed by a Justice of the Peace is hereinbefore directed to be applied.

Proviso.

LXVII. And be it enacted, That in every Case of a summary Conviction under this Act, where the Sum which shall be forfeited for the Value of the Property stolen or taken, or for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall, at the Time of the Conviction, appoint, it shall be lawful for the convicting Justice (unless where otherwise specially directed) to commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Calendar Months, where the Amount of the Sum forfeited, or of the Penalty imposed, or of both (as the Case may be), together with the Costs, shall not exceed Five Pounds; and for any Term not exceeding Four Calendar Months, where the Amount, with Costs, shall not exceed Ten Pounds; and for any Term not exceeding Six Calendar Months, in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

If a Person summarily convicted shall not pay, &c. the Justice may commit him.

Scale of Imprisonment.

LXVIII. Provided always, and be it enacted, That where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, it shall be lawful for the Justice, if he shall so think fit, to discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved for Damages and Costs, or either of them, as shall be ascertained by the Justice.

Justice may discharge the Offender in certain Cases.

LXIX. And be it enacted, That it shall be lawful for the King's Majesty to extend His Royal Mercy to any Person imprisoned by virtue of this Act, although he shall be imprisoned for Nonpayment of Money to some Party other than the Crown.

Pardon for Nonpayment of Money.

LXX. And be it enacted, That in case any Person convicted of any Offence punishable upon summary Conviction by virtue of this Act, shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or shall have suffered the Imprisonment awarded for Nonpayment thereof, or the Imprisonment adjudged in the first Instance, or shall have been discharged from his Conviction in the Manner aforesaid, in every such Case he shall be released from all further or other Proceedings for the same Cause.

A summary Conviction shall be a Bar to any other Proceeding for the same Cause.

LXXI. And

LXXI. And be it enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall require; *videlicet,*

BE it remembered, That on the _____ Day of _____
in the Year of our Lord _____ at _____
in the County of _____, [or Riding,
Division, Liberty, City, &c. as the Case may be], A. O. is con-
victed before me J. P. One of His Majesty's Justices of the
Peace for the said County [or Riding, &c.], for that he the said
A. O. did [specify the Offence, and the Time and Place when and
where the same was committed, as the Case may be; and on a
Second Conviction state the First Conviction]; and I the said J. P.
adjudge the said A. O. for his said Offence to be imprisoned in
the _____ [or to be imprisoned in the
and there kept to hard Labour] for the Space of _____
[or, I adjudge the said A. O. for his said Offence to forfeit and
pay _____ [here state the Penalty actually imposed,
or state the Penalty, and also the Value of the Articles stolen, or
the Amount of the Injury done, as the Case may be], and also to
pay the Sum of _____ for Costs, and in default
of immediate Payment of the said Sums, to be imprisoned in the
_____ [or, to be imprisoned in the
and there kept to hard Labour] for the Space of _____
unless the said Sums shall be sooner paid; [or, and I order that
the said Sums shall be paid by the said A. O. on or before the
_____ Day of _____]; and I direct that the said Sum
of _____ [i. e. the Penalty only] shall be paid to
of _____ aforesaid, in which the said Offence was com-
mitted, to be by him applied according to the Directions of the
Statute in that Case made and provided; [or, that the said Sum
of _____ [i. e. the Penalty] shall be paid to, &c.
[as before], and that the said Sum of _____ [i. e. the
Value of the Articles stolen, or the Amount of the Injury done]
shall be paid to C. D. [the Party aggrieved, unless he is unknown
or has been examined in proof of the Offence, in which Case state
that Fact, and dispose of the whole like the Penalty, as before];
and I order that the said Sum of _____ for Costs shall
be paid to _____ [the Complainant]. Given under
my Hand and Seal, the Day and Year first above mentioned.'

LXXII. And be it enacted, That in all Cases where the Sum adjudged to be paid on any summary Conviction shall exceed Five Pounds, or the Imprisonment adjudged shall exceed One Calendar Month, or the Conviction shall take place before One Justice only, any Person, who shall think himself aggrieved by any such Conviction, may appeal to the next Court of General or Quarter Sessions, which shall be holden not less than Twelve Days after the Day of such Conviction, for the County, Riding, or Division wherein the Cause of Complaint shall have arisen; provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days

at the least before such Sessions, and shall also either remain in Custody until the Sessions, or enter into a Recognizance with Two sufficient Sureties before a Justice of the Peace, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Notice being given, and such Recognizance being entered into, the Justice, before whom the same shall be entered into, shall liberate such Person if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal, or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment.

LXXIII. And be it enacted, That on such Conviction or Adjudication made on Appeal therefrom shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of His Majesty's superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

No Certiorari,
&c.

LXXIV. And be it enacted, That every Justice of the Peace, before whom any Person shall be convicted of any Offence against this Act, shall transmit the Conviction to the next Court of General or Quarter Sessions which shall be holden for the County or Place wherein the Offence shall have been committed, there to be kept by the proper Officer among the Records of the Court; and upon any Indictment or Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed to have been unappealed against, until the contrary be shewn.

Convictions to
be returned to
the Quarter
Sessions.

How far Evi-
dence in future
Cases.

LXXV. And, for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover

Venue, in Pro-
ceedings against
Persons acting
under this Act.

Notice of Ac-
tion.

General Issue,
&c.

recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be, shall certify his Approbation of the Action, and of the Verdict obtained thereupon.

This Act not to extend to Scotland or Ireland, except in Two Cases.

LXXXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland* or *Ireland*, except as follows; (that is to say,) that if any Person, having stolen or otherwise feloniously taken any Chattel, Money, valuable Security, or other Property whatsoever, in any one Part of the United Kingdom, shall afterwards have the same Property in his Possession in any other Part of the United Kingdom, he may be dealt with, indicted, tried, and punished for Larceny or Theft in that Part of the United Kingdom where he shall so have such Property, in the same Manner as if he had actually stolen or taken it in that Part; and if any Person in any one Part of the United Kingdom shall receive or have any Chattel, Money, valuable Security, or other Property whatsoever, which shall have been stolen or otherwise feloniously taken in any other Part of the United Kingdom, such Person knowing the said Property to have been stolen or otherwise feloniously taken, he may be dealt with, indicted, tried, and punished for such Offence in that Part of the United Kingdom where he shall so receive or have the said Property, in the same Manner as if it had been originally stolen or taken in that Part.

To extend to Offences committed at Sea.

LXXXVII. And be it enacted, That where any Felony or Misdemeanor punishable under this Act, shall be committed within the Jurisdiction of the Admiralty of *England*, the same shall be dealt with, enquired of, tried, and determined in the same Manner as any other Felony or Misdemeanor committed within that Jurisdiction.

C A P. XXX.

An Act for consolidating and amending the Laws in *England* relative to malicious Injuries to Property.

[21st June 1827.]

‘ WHEREAS various Statutes now in force in that Part of the United Kingdom called *England*, relative to malicious Injuries to Property, are by an Act of the present Session of Parliament repealed, from and after the last Day of June in the present Year, except as to Offences committed before or upon that Day; and it is expedient that the Provisions contained in those Statutes should be amended and consolidated into this Act, to take effect at the same Time as the said repealing Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence on the First Day of July in the present Year.

Commencement of Act.

Setting fire to a Church, Chapel,

II. And be it enacted, That if any Person shall unlawfully and maliciously set fire to any Church or Chapel, or to any Chapel for

for the Religious Worship of Persons dissenting from the United Church of *England and Ireland*, duly registered or recorded, or shall unlawfully and maliciously set fire to any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malt-house, Hop Oast, Barn, or Granary, or to any Building or Erection used in carrying on any Trade or Manufacture, or any Branch thereof, whether the same or any of them respectively shall then be in the Possession of the Offender, or in the Possession of any other Person, with Intent thereby to injure or defraud any Person, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

House, or certain Buildings.

III. And be it enacted, That if any Person shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Goods or Article of Silk, Woollen, Linen, or Cotton, or of any one or more of those Materials mixed with each other, or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace respectively, being in the Loom or Frame, or on any Machine or Engine, or on the Rack or Tenters, or in any Stage, Process, or Progress of Manufacture; or shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Warp or Shute of Silk, Woollen, Linen, or Cotton, or of any one or more of those Materials mixed with each other, or mixed with any other Material, or any Loom, Frame Machine, Engine, Rack, Tackle, or Implement, whether fixed or moveable, prepared for or employed in carding, spinning, throwing, weaving, fulling, shearing, or otherwise manufacturing or preparing any such Goods or Articles; or shall by force enter into any House, Shop, Building, or Place, with Intent to commit any of the Offences aforesaid, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Destroying Silk, Woollen, Linen or Cotton Goods in the Loom, &c. or any Machinery belonging to those Manufactures, &c.

IV. And be it enacted, That if any Person shall unlawfully and maliciously cut, break, or destroy, or damage with Intent to destroy or to render useless, any Threshing Machine, or any Machine or Engine, whether fixed or moveable, prepared for or employed in any Manufacture whatsoever, (except the Manufacture of Silk, Woollen, Linen, or Cotton Goods, or Goods of any one or more of those Materials mixed with each other, or mixed with any other Material, or any Framework-knitted Piece, Stocking, Hose, or Lace,) every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Destroying Threshing Machines, or Machinery in any other Manufacture than the foregoing.

V. And be it enacted, That if any Person shall unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal, every

Setting fire to a Coal Mine.

every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Drowning any Mine, or filling up any Shaft, &c. with Intent to destroy the Mine.

VI. And be it enacted, That if any Person shall unlawfully and maliciously cause any Water to be conveyed into any Mine, or into any subterraneous Passage communicating therewith, with Intent thereby to destroy or damage such Mine, or to hinder or delay the working thereof, or shall, with the like Intent, unlawfully and maliciously pull down, fill up, or obstruct any Airway, Waterway, Drain, Pit, Level, or Shaft of or belonging to any Mine, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment: Provided always, that this Provision shall not extend to any Damage committed under Ground by any Owner of any adjoining Mine in working the same, or by any Person duly employed in such working.

Proviso.

Destroying any Engine, Erection, &c. used in any Mine.

VII. And be it enacted, That if any Person shall unlawfully and maliciously pull down or destroy, or damage with Intent to destroy or to render useless, any Steam Engine or other Engine for sinking, draining, or working any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, whether such Engine, Staith, Building, Erection, Bridge, Waggonway, or Trunk be completed or in an unfinished State, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award, as hereinbefore last mentioned.

Rioters demolishing, &c. a Church, Chapel, House, or certain Buildings, or any Machinery in any Manufactory or Mine.

VIII. And be it enacted, That if any Persons, riotously and tumultuously assembled together to the Disturbance of the Public Peace, shall unlawfully and with Force demolish, pull down, or destroy, or begin to demolish, pull down, or destroy, any Church or Chapel, or any Chapel for the Religious Worship of Persons dissenting from the United Church of *England and Ireland*, duly registered or recorded, or any House, Stable, Coach-house, Outhouse, Warehouse, Office, Shop, Mill, Malt-house, Hop Oast, Barn, or Granary, or any Building or Erection used in carrying on any Trade or Manufacture, or any Branch thereof, or any Machinery, whether fixed or moveable, prepared for or employed in any Manufacture, or in any Branch thereof, or any Steam Engine or other Engine for sinking, draining, or working any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggonway, or Trunk for conveying Minerals from any Mine, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Setting fire to or destroying a Ship.

IX. And be it enacted, That if any Person shall unlawfully and maliciously set fire to, or in anywise destroy any Ship or Vessel, whether the same be complete or in an unfinished State, or shall unlawfully and maliciously set fire to, cast away, or in anywise destroy any Ship or Vessel, with Intent thereby to prejudice any Owner or Part Owner of such Ship or Vessel, or

of any Goods on board the same, or any Person that hath underwritten or shall underwrite any Policy of Insurance upon such Ship or Vessel, or on the Freight thereof, or upon any Goods on board the same, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

X. And be it enacted, That if any Person shall unlawfully and maliciously damage, otherwise than by Fire, any Ship or Vessel, whether complete or in an unfinished State, with Intent to destroy the same, or to render the same useless, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Damaging a Ship, otherwise than by Fire.

XI. And be it enacted, That if any Person shall exhibit any false Light or Signal, with Intent to bring any Ship or Vessel into Danger, or shall unlawfully and maliciously do any thing tending to the immediate Loss or Destruction of any Ship or Vessel in Distress, or destroy any Part of any Ship or Vessel which shall be in Distress, or wrecked, stranded, or cast on Shore, or any Goods, Merchandize, or Articles of any Kind belonging to such Ship or Vessel, or shall by Force prevent or impede any Person endeavouring to save his Life from such Ship or Vessel, (whether he shall be on board or shall have quitted the same,) every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Exhibiting false Signals to a Ship, &c.; destroying a shipwrecked Vessel or Cargo, &c.

XII. And be it enacted, That if any Person shall unlawfully and maliciously break down or cut down any Sea Bank or Sea Wall, or the Bank or Wall of any River, Canal, or Marsh, whereby any Lands shall be overflowed or damaged, or shall be in danger of being so, or shall unlawfully and maliciously throw down, level, or otherwise destroy any Lock, Sluice, Floodgate, or other Work on any navigable River or Canal, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment: and if any Person shall unlawfully and maliciously cut off, draw up, or remove any Piles, Chalk, or other Materials fixed in the Ground and used for securing any Sea Bank or Sea Wall or the Bank or Wall of any River, Canal, or Marsh, or shall unlawfully and maliciously open or draw up any Floodgate, or do any other Injury or Mischief to any navigable River or Canal, with Intent and so as thereby to obstruct or prevent the carrying on, completing, or maintaining the Navigation thereof, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years; and, if a Male, to be once, twice, or thrice publicly or privately

Destroying any Sea Bank, &c. or Works on any River or Canal.

Removing the Piles of any Sea Bank, &c., or doing any Damage to obstruct the Navigation of a River or Canal.

privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Injury to a public Bridge.

XIII. And be it enacted, that if any Person shall unlawfully and maliciously pull down or in anywise destroy any public Bridge, or do any Injury with Intent and so as thereby to render such Bridge or any Part thereof dangerous or impassable, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Destroying a Turnpike Gate, Toll House, &c.

XIV. And be it enacted, That if any Person shall unlawfully and maliciously throw down, level, or otherwise destroy, in whole or in part, any Turnpike Gate, or any Wall, Chain, Rail, Post, Bar, or other Fence belonging to any Turnpike Gate, or set up or erected to prevent Passengers passing by without paying any Toll directed to be paid by any Act or Acts of Parliament relating thereto, or any House, Building, or Weighing Engine, erected for the better Collection, Ascertainment, or Security of any such Toll, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be punished accordingly.

Breaking down the Dam of a Fishery, &c. or Mill Dam.

XV. And be it enacted, That if any Person shall unlawfully and maliciously break down or otherwise destroy the Dam of any Fishpond, or of any Water which shall be private Property, or in which there shall be any private Right of Fishery, with Intent thereby to take or destroy any of the Fish in such Pond or Water, or so as thereby to cause the Loss or Destruction of any of the Fish, or shall unlawfully and maliciously put any Lime or other noxious Material in any such Pond or Water, with Intent thereby to destroy any of the Fish therein, or shall unlawfully and maliciously break down or otherwise destroy the Dam of any Millpond, every such Offender shall be guilty of a Misdemeanor, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Killing or maiming Cattle.

XVI. And be it enacted, That if any Person shall unlawfully and maliciously kill, maim, or wound any Cattle, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

Setting fire to a Stack of Corn, Grain, Straw, Hay, &c.
The like to cer-

XVII. And be it enacted, That if any Person shall unlawfully and maliciously set fire to any Stack of Corn, Grain, Pulse, Straw, Hay, or Wood, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon; and

if any Person shall unlawfully and maliciously set fire to any Crop of Corn, Grain, or Pulse, whether standing or cut down, or to any Part of a Wood, Coppice, or Plantation of Trees, or to any Heath, Gorze, Furze, or Fern, wheresoever the same may be growing, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

XVIII. And be it enacted, That if any Person shall unlawfully and maliciously cut or otherwise destroy any Hopbinder growing on Poles in any Plantation of Hops, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment.

XIX. And be it enacted, That if any Person shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing in any Park, Pleasure Ground, Garden, Orchard, or Avenue, or in any Ground adjoining or belonging to any Dwelling House, every such Offender (in case the Amount of the Injury done shall exceed the Sum of One Pound) shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years; and, if a Male, to be once, twice, or thrice publicly or privately whipped (if the Court shall so think fit), in addition to such Imprisonment; and if any Person shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, respectively growing elsewhere than in any of the Situations hereinbefore mentioned, every such Offender (in case the Amount of the Injury done shall exceed the Sum of Five Pounds) shall be guilty of Felony, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award for the Felony hereinbefore last mentioned.

XX. And be it enacted, That if any Person shall unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the Whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, wheresoever the same may be respectively growing, the Injury done being to the Amount of One Shilling at the least, every such Offender, being convicted before a Justice of the Peace, shall for the First Offence forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be con-

tain Crops,
Plantations, and
Heath.

Destroying
Hopbinds.

Destroying or
damaging
Trees, Shrubs,
&c. growing in
certain Situ-
ations, shall be
Felony, if the
Value exceeds
1l.

*And this applies
to all the
trees, shrubs, &c.
in the
parks, &c.
of the
Crown.*

The like to
Trees, Shrubs,
&c. growing
elsewhere, shall
be Felony, if
the Value ex-
ceeds 5l.

Destroying or
damaging
Trees, Shrubs,
&c. wheresoever
growing, and
of any Value
above 1s.,
punishable on
summary Con-
viction for
First and
Second Of-
fence; Third

Offence;
Felony.

See post, § 32.
& 33.

Victimed thereof in like Manner, every such Offender shall for such Second Offence be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Twelve Calendar Months, as the convicting Justice shall think fit; and if such Second Conviction shall take place before Two Justices, they may further order the Offender, if a Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction; and if any Person so twice convicted shall afterwards commit any of the said Offences, such Offender shall be deemed guilty of Felony, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award for the Felony hereinbefore last mentioned.

Destroying, &c.
any Fruit or
Vegetable Pro-
duction in a
Garden, &c.
punishable on
summary Con-
viction for
First Offence;
Second Offence,
Felony.

See post, § 32
& 33.

XXI. And be it enacted, That if any Person shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Root, Fruit, or Vegetable Production, growing in any Garden, Orchard, Nursery Ground, Hothouse, Greenhouse, or Conservatory, every such Offender, being convicted thereof before a Justice of the Peace, shall, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for any Term not exceeding Six Calendar Months, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Twenty Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards commit any of the said Offences, such Offender shall be deemed guilty of Felony, and, being convicted thereof, shall be liable to any of the Punishments which the Court may award for the Felony hereinbefore last mentioned.

Destroying, &c.
Vegetable Pro-
ductions not
growing in
Gardens, &c.

See post, § 32
& 33.

XXII. And be it enacted, That if any Person shall unlawfully and maliciously destroy, or damage with Intent to destroy, any cultivated Root or Plant used for the Food of Man or Beast, or for Medicine, or for distilling, or for dyeing, or for or in the Course of any Manufacture, and growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, every such Offender, being convicted thereof before a Justice of the Peace, shall, at the Discretion of the Justice, either be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, for any Term not exceeding One Calendar Month, or else shall forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Twenty Shillings, as to the Justice shall seem meet, and in default of Payment thereof, together with the Costs, if ordered, shall be committed as aforesaid for any Term not exceeding One Calendar Month, unless Payment be sooner made; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner, every such Offender shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Six Calendar Months, as the convicting Justice shall think fit; and if such subsequent Conviction shall take place before Two Justices, they may further order the Offender, if

if a Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction.

XXIII. And be it enacted, That if any Person shall unlawfully and maliciously cut, break, throw down, or in anywise destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, every such Offender, being convicted before a Justice of the Peace, shall for the First Offence forfeit and pay, over and above the Amount of the Injury done, such Sum of Money, not exceeding Five Pounds, as to the Justice shall seem meet; and if any Person so convicted shall afterwards be guilty of any of the said Offences, and shall be convicted thereof in like Manner, every such Offender shall be committed to the Common Gaol or House of Correction, there to be kept to hard Labour for such Term, not exceeding Twelve Calendar Months, as the convicting Justice shall think fit; and if such subsequent Conviction shall take place before Two Justices, they may further order the Offender, if a Male, to be once or twice publicly or privately whipped, after the Expiration of Four Days from the Time of such Conviction.

XXIV. And be it enacted, That if any Person shall wilfully or maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Remedy or Punishment is hereinbefore provided, every such Person, being convicted thereof before a Justice of the Peace, shall forfeit and pay such Sum of Money as shall appear to the Justice to be a reasonable Compensation for the Damage, Injury, or Spoil so committed, not exceeding the Sum of Five Pounds; which Sum of Money shall, in the Case of private Property, be paid to the Party aggrieved, except where such Party shall have been examined in proof of the Offence; and in such Case, or in the Case of Property of a public Nature, or wherein any public Right is concerned, the Money shall be applied in such Manner as every Penalty imposed by a Justice of the Peace under this Act is hereinafter directed to be applied; and if such Sum of Money, together with Costs (if ordered), shall not be paid either immediately after the Conviction, or within such Period as the Justice shall at the Time of the Conviction appoint, the Justice may commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, as the Justice shall think fit, for any Term not exceeding Two Calendar Months, unless such Sum and Costs be sooner paid: Provided always, that nothing herein contained shall extend to any Case where the Party trespassing acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious, committed in hunting, fishing, or in the Pursuit of Game, but that every such Trespass shall be punishable in the same Manner as before the passing of this Act.

XXV. And be it enacted, That every Punishment and Forfeiture by this Act imposed on any Person maliciously committing any Offence, whether the same be punishable upon Indictment or upon summary Conviction, shall equally apply and be enforced, whether the Offence shall be committed from Malice

Destroying, &c. any Fence, Wall, Stile, or Gate.

See post, § 32 & 33.

Persons committing Damage to any Property, in any Case not previously provided for, may be compelled by a Justice to pay Compensation not exceeding 5*l*.

Application of the Money awarded.

See post, § 32.

Proviso.

Malice against the Owner not essential to any Offence under this Act.

conceived against the Owner of the Property in respect of which it shall be committed, or otherwise.

Principals in the Second Degree, and Accessories.

XXVI. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable with Death or otherwise, in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under this Act, shall be liable to be indicted and punished as a Principal Offender.

Abettors in Misdemeanors.

The Court may, for all Offences within this Act, order hard Labour or solitary Confinement.

XXVII. And be it enacted, That where any Person shall be convicted of any indictable Offence punishable under this Act, for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, or to be imprisoned and kept to hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, or of such Imprisonment with hard Labour, as to the Court in its Discretion shall seem meet.

Persons in the Act of committing any Offence may be apprehended without a Warrant.

XXVIII. And, for the more effectual Apprehension of all Offenders against this Act, be it enacted, That any Person found committing any Offence against this Act, whether the same be punishable upon Indictment or upon summary Conviction, may be immediately apprehended, without a Warrant, by any Peace Officer, or the Owner of the Property injured, or his Servant, or any Person authorized by him, and forthwith taken before some neighbouring Justice of the Peace, to be dealt with according to Law.

Limitation as to summary Proceedings.

XXIX. And be it enacted, That the Prosecution for every Offence punishable on summary Conviction under this Act shall be commenced within Three Calendar Months after the Commission of the Offence, and not otherwise; and the Evidence of the Party aggrieved shall be admitted in proof of the Offence, and also the Evidence of any Inhabitant of the County, Riding, or Division in which the Offence shall have been committed, notwithstanding any Forfeiture or Penalty incurred by the Offence may be payable to the general Rate of such County, Riding, or Division.

Competency of Witnesses.

Mode of compelling the Appearance of Persons punishable on summary Conviction.

XXX. And, for the more effectual Prosecution of all Offences punishable on summary Conviction under this Act, be it enacted, That where any Person shall be charged on the Oath of a credible Witness before any Justice of the Peace with any such Offence, the Justice may summon the Person charged to appear at a Time and Place to be named in such Summons; and if he shall not appear accordingly, then (upon Proof of the due Service of the Summons upon such Person, by delivering the same to him personally, or by leaving the same at his usual Place of Abode,) the Justice may either proceed to hear and determine the Case *ex parte*, or issue his Warrant for apprehending such Person and bringing him before himself or some other Justice of the Peace; or the Justice before whom the Charge shall be made may (if he

he shall so think fit), without any previous Summons (unless where otherwise specially directed), issue such Warrant; and the Justice, before whom the Person charged shall appear or be brought, shall proceed to hear and determine the Case.

XXXI. And be it enacted, That where any Offence is by this Act punishable on summary Conviction, either for every Time of its Commission, or for the First and Second Time only, or for the First Time only, any Person who shall aid, abet, counsel, or procure the Commission of such Offence, shall, on Conviction before a Justice of the Peace, be liable, for every First, Second, or subsequent Offence of aiding, abetting, counselling, or procuring, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence as a Principal Offender is by this Act made liable.

Abettors in Offences punishable on summary Conviction.

XXXII. And, with regard to the Application of all Forfeitures and Penalties upon summary Convictions under this Act, be it enacted, That every Sum of Money which shall be forfeited for the Amount of any Injury done (such Amount to be assessed in each Case by the convicting Justice) shall be paid to the party aggrieved, if known, except where such Party shall have been examined in proof of the Offence, and in that Case, or where the Party aggrieved is unknown, such Sum shall be applied in the same Manner as a Penalty; and every Sum which shall be imposed as a Penalty by any Justice of the Peace, whether in addition to such Amount or otherwise, shall be paid to some one of the Overseers of the Poor, or to some other Officer (as the Justice may direct) of the Parish, Township, or Place in which the Offence shall have been committed, to be by such Overseer or Officer paid over to the Use of the general Rate of the County, Riding, or Division in which such Parish, Township, or Place shall be situate, whether the same shall or shall not contribute to such general Rate: Provided always, that where several Persons shall join in the Commission of the same Offence, and shall, upon Conviction thereof, each be adjudged to forfeit a Sum equivalent to the Amount of the Injury done, in every such Case no further Sum shall be paid to the Party aggrieved than that which shall be forfeited by One of such Offenders only; and the corresponding Sum or Sums forfeited by the other Offender or Offenders shall be applied in the same Manner as any Penalty imposed by a Justice of the Peace is hereinbefore directed to be applied.

Application of Forfeitures and Penalties upon summary Convictions.

Proviso.

XXXIII. And be it enacted, That in every Case of a summary Conviction under this Act, where the Sum which shall be forfeited for the Amount of the Injury done, or which shall be imposed as a Penalty by the Justice, shall not be paid, either immediately after the Conviction, or within such Period as the Justice shall, at the Time of the Conviction, appoint, it shall be lawful for the convicting Justice (unless where otherwise specially directed) to commit the Offender to the Common Goal or House of Correction, there to be imprisoned only, or to be imprisoned and kept to hard Labour, according to the Discretion of the Justice, for any Term not exceeding Two Calendar Months, where the Amount of the Sum forfeited, or of the Penalty imposed, or of both (as the Case may be), together with the Costs, shall not exceed Five Pounds; and for any Term not exceeding Four Calendar Months, where

If a Person summarily convicted shall not pay, &c., the Justice may commit him.
Scale of Imprisonment.

the Amount, with Costs, shall not exceed Ten Pounds; and for any Term not exceeding Six Calendar Months in any other Case; the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

The Justice may discharge the Offender in certain Cases.

XXXIV. Provided always, and be it enacted, That where any Person shall be summarily convicted before a Justice of the Peace of any Offence against this Act, and it shall be a First Conviction, it shall be lawful for the Justice, if he shall so think fit, to discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved, for Damages and Costs, or either of them, as shall be ascertained by the Justice.

Pardon for Nonpayment of Money.

XXXV. And be it enacted, That it shall be lawful for the King's Majesty to extend his Royal Mercy to any Person imprisoned by virtue of this Act, although he shall be imprisoned for Nonpayment of Money to some Party other than the Crown.

A summary Conviction shall be a Bar to any other Proceeding for the same Cause.

XXXVI. And be it enacted, That in case any Person convicted of any Offence punishable upon summary Conviction by virtue of this Act shall have paid the Sum adjudged to be paid, together with Costs, under such Conviction, or shall have received a Remission thereof from the Crown, or shall have suffered the Imprisonment awarded for Nonpayment thereof, or the Imprisonment adjudged in the first Instance, or shall have been discharged from his Conviction in the Manner aforesaid, in every such Case he shall be released from all further or other Proceedings for the same Cause.

Form of Conviction.

XXXVII. And be it enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall require; *videlicet*,

‘ **B**E it remembered, That on the Day of
‘ in the Year of our Lord
‘ at in the County of [or
‘ Riding, Division, Liberty, City, &c., as the Case may be], A. O.
‘ is convicted before me J. P. One of His Majesty's Justices of
‘ the Peace for the said County [or Riding, &c.], for that he the
‘ said A. O. did [*specify the Offence, and the Time and Place when*
‘ and where the same was committed, as the Case may be; and on
‘ a Second Conviction, state the First Conviction]; and I the said
‘ J. P. adjudge the said A. O. for his said Offence to be imprisoned
‘ in the [or to be imprisoned in the
‘ and there kept to hard Labour] for the Space of
‘ [or, I adjudge the said A. O. for his said Offence to
‘ forfeit and pay [here state the Penalty actually
‘ imposed, or state the Penalty, and also the Amount of the Injury
‘ done, as the Case may be], and also to pay the Sum of
‘ for Costs; and in default of immediate Payment
‘ of the said Sums, to be imprisoned in the
‘ and there kept
‘ [or to be imprisoned in the unless
‘ to hard Labour] for the Space of
‘ the said Sums shall be sooner paid; [or, and I order that the
‘ said Sums shall be paid by the said A. O. on or before the
‘ Day of]]; and I direct that the said
‘ Sum

‘ Sum of [i. e. *the Penalty only*] shall be paid to
 ‘ of aforesaid, in which the said Of-
 ‘ fence was committed, to be by him applied according to the
 ‘ Directions of the Statute in that Case made and provided; [or
 ‘ that the said Sum of [i. e. *the Penalty*] shall be
 ‘ paid to, &c. *as before*,] and that the said Sum of
 ‘ [i. e. *the Sum for the Amount of the Injury done*] shall
 ‘ be paid to C. D. [*the Party aggrieved, unless he is unknown or*
 ‘ *has been examined in proof of the Offence, in which Case state that*
 ‘ *Fact, and dispose of the whole like the Penalty, as before*]; and
 ‘ I order, that the said Sum of for Costs shall be
 ‘ paid to [*the Complainant*]. Given under my
 ‘ Hand and Seal, the Day and Year first above mentioned.’

XXXVIII. And be it enacted, That in all Cases where the Sum **Appeal.**
 adjudged to be paid on any summary Conviction shall exceed
 Five Pounds, or the Imprisonment adjudged shall exceed One
 Calendar Month, or the Conviction shall take place before One
 Justice only, any Person, who shall think himself aggrieved by any
 such Conviction, may appeal to the next Court of General or
 Quarter Sessions, which shall be holden not less than Twelve Days
 after the Day of such Conviction, for the County, Riding, or Di-
 vision wherein the Cause of Complaint shall have arisen; provided
 that such Person shall give to the Complainant a Notice in Writ-
 ing of such Appeal, and of the Cause and Matter thereof, within
 Three Days after such Conviction, and Seven clear Days at the
 least before such Sessions, and shall also either remain in Cus-
 tody until the Sessions, or enter into a Recognizance with Two
 sufficient Sureties before a Justice of the Peace, conditioned
 personally to appear at the said Sessions and to try such Appeal,
 and to abide the Judgment of the Court thereupon, and to pay
 such Costs as shall be by the Court awarded; and upon such
 Notice being given, and such Recognizance being entered into,
 the Justice before whom the same shall be entered into shall
 liberate such Person if in Custody; and the Court at such Ses-
 sions shall hear and determine the Matter of the Appeal, and
 shall make such Order therein, with or without Costs to either
 Party, as to the Court shall seem meet; and in case of the Dis-
 missal of the Appeal, or the Affirmance of the Conviction, shall
 order and adjudge the Offender to be punished according to the
 Conviction, and to pay such Costs as shall be awarded, and shall,
 if necessary, issue Process for enforcing such Judgment.

XXXIX. And be it enacted, That no such Conviction, or Adju- **No Certiorari,**
 dication made on Appeal therefrom, shall be quashed for Want **&c.**
 of Form, or be removed by Certiorari or otherwise into any of His
 Majesty's superior Courts of Record; and no Warrant of Com-
 mitment shall be held void by reason of any Defect therein,
 provided it be therein alleged that the Party has been convicted,
 and there be a good and valid Conviction to sustain the same.

XL. And be it enacted, That every Justice of the Peace, **Convictions to**
 before whom any Person shall be convicted of any Offence against **be returned to**
 this Act, shall transmit the Conviction to the next Court of **the Quarter**
 General or Quarter Sessions which shall be holden for the County **Sessions.**
 or Place wherein the Offence shall have been committed, there to
 be

How far Evidence in future Cases.

Venue, in Proceedings against Persons acting under this Act.

13. 16. 807

Notice of Action.

General Issue, &c.

Not to extend to Scotland or Ireland.
To extend to Offences committed at Sea.

be kept by the proper Officer among the Records of the Court; and upon any Indictment or Information against any Person for a subsequent Offence, a Copy of such Conviction, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence, and the Conviction shall be presumed to have been unappealed against until the contrary be shewn.

XLII. And, for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action, if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action, and of the Verdict obtained thereupon.

XLII. Provided always, and be it enacted, That nothing in this Act contained shall extend to *Scotland or Ireland*.

XLIII. And be it enacted, That where any Felony or Misdemeanor punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England*, the same shall be dealt with, enquired of, tried, and determined in the same Manner as any other Felony or Misdemeanor committed within that Jurisdiction.

C A P. XXXI.

An Act for consolidating and amending the Laws in *England* relative to Remedies against the Hundred.

[21st June 1827.]

‘ WHEREAS it is expedient that the several Statutes now
‘ in force in that Part of the United Kingdom called
‘ *England* relative to Remedies against the Hundred for the
‘ Damage occasioned by Persons riotously and tumultuously
‘ assembled, should be amended, and consolidated into One Act;
‘ and with that View the said Statutes are, by an Act of the
‘ present Session of Parliament, repealed, from and after the last
‘ Day

' Day of *June* in the present Year, except as to Offences and other Matters committed or done before or upon that Day ;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence on the First Day of *July* in the present Year.

II. And be it enacted, That if any Church or Chapel, or any Chapel for the Religious Worship of Persons dissenting from the United Church of *England and Ireland*, duly registered or recorded, or any House, Stable, Coachhouse, Outhouse, Warehouse, Office, Shop, Mill, Malthouse, Hop Oast, Barn, or Granary, or any Building or Erection used in carrying on any Trade or Manufacture, or Branch thereof, or any Machinery, whether fixed or moveable, prepared for or employed in any Manufacture, or in any Branch thereof, or any Steam Engine or other Engine for sinking, draining, or working any Mine, or any Staith, Building, or Erection used in conducting the Business of any Mine, or any Bridge, Waggon-way or Trunk for conveying Minerals from any Mine, shall be feloniously demolished, pulled down, or destroyed, wholly or in part, by any Persons riotously and tumultuously assembled together, in every such Case the Inhabitants of the Hundred, Wapentake, Ward, or other District in the Nature of a Hundred, by whatever Name it shall be denominated, in which any of the said Offences shall be committed, shall be liable to yield full Compensation to the Person or Persons damnified by the Offence, not only for the Damage so done to any of the Subjects hereinbefore enumerated, but also for any Damage which may at the same Time be done by any such Offenders to any Fixture, Furniture, or Goods whatever, in any such Church, Chapel, House, or other of the Buildings or Erections aforesaid.

III. Provided always, and be it enacted, That no Action or summary Proceeding, as hereinafter mentioned, shall be maintainable by virtue of this Act, for the Damage caused by any of the said Offences, unless the Person or Persons damnified, or such of them as shall have Knowledge of the Circumstances of the Offence, or the Servant or Servants who had the Care of the Property damaged, shall within Seven Days after the Commission of the Offence go before some Justice of the Peace residing near and having Jurisdiction over the Place where the Offence shall have been committed, and shall state upon Oath before such Justice the Names of the Offenders if known, and shall submit to the Examination of such Justice touching the Circumstances of the Offence, and become bound by Recognizance before him to prosecute the Offenders when apprehended : Provided also, that no Person shall be enabled to bring any such Action, unless he shall commence the same within Three Calendar Months after the Commission of the Offence.

IV. And be it enacted, That no Process for Appearance in any Action to be brought by virtue of this Act against any Hundred or other like District shall be served on any Inhabitant thereof, except on the High Constable, or some One of the High Constables (if there be more than One), who shall within Seven Days after such Service give Notice thereof to Two Justices of the

Commence-
ment of Act.

The Hundred
shall make full
Compensation
for the Damage
done by Rioters
in certain
Cases.

Party damnified to comply
with certain
Conditions.

See 3 B.
Ad.
550

Limitation of
Time for
Actions.

Process in the
Action against
the Hundred
to be served on
the High Con-
stable, who may
defend, or let

the

Judgment go
by Default, as
advised.

the Peace of the County, Riding, or Division in which such Hundred or District shall be situate, residing in or acting for the Hundred or District; and such High Constable is hereby empowered to cause to be entered an Appearance in the said Action, and also to defend the same on behalf of the Inhabitants of the Hundred or District, as he shall be advised; or, instead of defending the same, it shall be lawful for him, with the Consent and Approbation of such Justices, to suffer Judgment to go by Default; and the Person upon whom, as High Constable, the Process in the Action shall be served shall, notwithstanding the Expiration of his Office, continue to act for all the Purposes of this Act until the Termination of all Proceedings in and consequent upon such Action; but if such Person shall die before such Termination, the succeeding High Constable shall act in his Stead.

Inhabitants of
the Hundred,
competent
Witnesses.

V. And be it enacted, That in any Action to be brought by virtue of this Act against the Inhabitants of any Hundred or other like District, or against the Inhabitants of any County of a City or Town, or of any such Liberty, Franchise, City, Town, or Place, as is hereinafter mentioned, no Inhabitant thereof shall, by reason of any Interest arising from such Inhabitaney, be exempted or precluded from giving Evidence either for the Plaintiff or for the Defendants.

If Plaintiff re-
covers, the
Sheriff on Re-
ceipt of the
Writ of Execu-
tion, shall make
out a Warrant
directing the
Treasurer of
the County to
pay the
Amount.

VI. And be it enacted, That wherever the Plaintiff in any such Action shall recover Judgment, whether after Verdict or by Default or otherwise, no Writ of Execution shall be executed on any Inhabitant of the Hundred or other like District, nor on such High Constable; but the Sheriff, upon the Receipt of the Writ of Execution, shall (on Payment of the Fee of Five Shillings and no more) make his Warrant to the Treasurer of the County, Riding, or Division in which such Hundred or other like District shall be situate, commanding him to pay to the Plaintiff the Sum by the said Writ directed to be levied, and such Treasurer is hereby required to pay the same, as also any other Sum ordered to be paid by him by virtue of this Act, out of any Public Money which shall then be in his Hands, or shall come into his Hands before the next General or Quarter Sessions of the Peace for the said County, Riding, or Division; and if there be not sufficient Money for that Purpose before such Sessions, he shall give Notice thereof to the Justices of the Peace at such Sessions, who shall proceed in the Manner hereinafter mentioned.

Mode of reim-
bursing the
High Consta-
ble for his Ex-
pences in de-
fending the Ac-
tion, &c.

VII. And, for the Purpose of indemnifying the High Constable and the County Treasurer, be it enacted, That if such High Constable of the Hundred or other District sued shall produce and prove before any Two Justices of the Peace of the County, Riding, or Division, residing in or acting for such Hundred or District, an Account of the just and necessary Expences which he shall have incurred in consequence of any such Action as aforesaid, such Justices shall make an Order for the Payment thereof upon the Treasurer of the County, Riding, or Division in which such Hundred or District shall be situate; and if in any such Action Judgment shall be given against the Plaintiff, the High Constable shall in like Manner be reimbursed for the just and necessary Expences by him incurred in consequence of such Action, over and above the taxed Costs to be paid by the Plaintiff in such Case;

Case; and if it shall be proved to any Two such Justices that the Plaintiff in the Action is insolvent, so that the High Constable can have no Relief as to such taxed Costs, such Justices shall make an Order upon the Treasurer of the County, Riding, or Division as aforesaid, for the Payment of the Amount of such taxed Costs; and the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for any such County, Riding, or Division, or any Adjournment thereof, shall direct such Sum or Sums of Money as shall have been paid or ordered to be paid by the Treasurer by virtue of any such Warrant or Order as hereinbefore mentioned, to be raised on the Hundred or other like District against the Inhabitants of which any such Action shall have been brought, over and above the general Rate to be paid by such Hundred or District in common with the rest of the County, Riding, or Division, under the Acts relating to County Rates; and such Sum or Sums shall be raised in the Manner directed by those Acts, and shall be forthwith paid over to the Treasurer.

Reimbursing
the County
Treasurer.

‘VIII. And Whereas it is expedient to provide a summary Mode of Proceeding where the Damage is of small Amount; Be it therefore enacted, That it shall not be lawful for any Person to commence any Action against the Inhabitants of any Hundred or other like District, where the Damage alleged to have been sustained by reason of any of the Offences in this Act mentioned shall not exceed the Sum of Thirty Pounds, but the Party damaged shall, within Seven Days after the Commission of the Offence, give a Notice in Writing of his Claim for Compensation, according to the Form in the Schedule hereunto annexed, to the High Constable or some one of the High Constables (if there be more than One) of the Hundred or other like District in which the Offence shall have been committed; and such High Constable shall, within Seven Days after the Receipt of the Notice, exhibit the same to some Two Justices of the Peace of the County, Riding, or Division in which such Hundred or District shall be situate, residing in or acting for such Hundred or District, and they shall thereupon appoint a Special Petty Session of all the Justices of the Peace of the County, Riding, or Division, acting for such Hundred or District, to be holden within not less than Twenty nor more than Thirty Days next after the Exhibition of such Notice, for the Purpose of hearing and determining any Claim which may be then and there brought before them on account of any such Damage; and such High Constable shall, within Three Days after such Appointment, give Notice in writing to the Claimant, of the Day and Hour and Place appointed for holding such Petty Session, and shall within Ten Days give the like Notice to all the Justices acting for such Hundred or District; and the Claimant is hereby required to cause a Notice in Writing, in the Form in the Schedule hereunto annexed, to be placed on the Church or Chapel Door, or other conspicuous Part of the Parish, Township, or Place in which such Damage shall have been sustained, on Two *Sundays* preceding the Day of holding such Petty Session.

Mode of Proceeding in Cases where the Damage does not exceed 30*l*.

IX. And be it enacted, That it shall be lawful for the Justices, not being less than Two, at such Petty Session or any Adjournment

Such Cases to be settled by the
ment

Justices at a
Special Petty
Sessions.

ment thereof, to hear and examine upon Oath or Affirmation the Claimant, and any of the Inhabitants of the Hundred or other like District, and their several Witnesses, concerning any such Offence, and the Damage sustained thereby; and thereupon the said Justices, or the major Part of them, if they shall find that the Claimant has sustained any Damage by means of any such Offence, shall make an Order for Payment of the Amount of such Damage to him, together with his reasonable Costs and Charges, and also an Order for Payment of the Costs and Charges (if any) of the High Constable or Inhabitants, and shall direct such Order or Orders to the Treasurer of the County, Riding, or Division in which such Hundred or District shall be situate, who shall pay the same to the Party or Parties therein named, and shall be reimbursed for the same in the Manner hereinbefore directed.

Penalty on
High Constable
for Neglect.

X. And be it enacted, That if any High Constable shall refuse or neglect to exhibit or give such Notice as is required in any of the Cases aforesaid, it shall be lawful for the Party damnified to sue him for the Amount of the Damage sustained, such Amount to be recovered by an Action on the Case, together with full Costs of Suit.

Proceeding in
case of Da-
mage to a
Church or
Chapel.

XI. And be it enacted, That every Action or summary Claim to recover Compensation for the Damage caused to any Church or Chapel by any of the Offences in this Act mentioned, shall be brought in the Name of the Rector, Vicar, or Curate of such Church or Chapel, or in case there be no Rector, Vicar, or Curate, then in the Names of the Church or Chapelwardens, if there be any such, and if not, in the Name or Names of any One or more of the Persons in whom the Property of such Chapel may be vested; and the Amount recovered in any such Case shall be applied in the rebuilding or repairing such Church or Chapel; and where any of the Offences in this Act mentioned shall be committed on any Property belonging to a Body Corporate, such Body may recover Compensation against the Hundred or other like District, in the same Manner and subject to the same Conditions as any Person damnified is by this Act enabled to do: Provided always, that the several Conditions which are hereinbefore required to be performed by or on behalf of any Person damnified, may, in the Case of a Body Corporate, be performed by any Officer of such Body on behalf thereof.

In case of Da-
mage to Pro-
perty belong-
ing to a Cor-
poration.

Where the
Damage is
committed in
any County of
a City, &c.
or in any Li-
berty, &c.
which is not
within any
Hundred, or
does not contri-
bute to the
County Rate,
such County,
Liberty, &c.
shall be liable
like the Hun-
dred.

XII. And Whereas the Offences for which Compensation is granted by virtue of this Act may be committed in Counties of Cities and Towns, or in such Liberties, Franchises, Cities, Towns, and Places, as either do not contribute at all to the Payment of any County Rate, or contribute thereto, but not as being Part of any Hundred or other like District; and it is expedient to provide for all such Cases; Be it therefore enacted, That where any of the Offences in this Act mentioned shall be committed in a County of a City or Town, or in any such Liberty, Franchise, City, Town, or Place, the Inhabitants thereof shall be liable to yield Compensation in the same Manner, and under the same Conditions and Restrictions in all respects, as the Inhabitants of the Hundred; and every thing in this Act in anywise relating to a Hundred, or to the Inhabitants thereof, shall equally apply to every County of a City or Town, and to every such Liberty, Franchise,

Franchise, City, Town, and Place, and to the Inhabitants thereof; and where the Justices of the Peace of the County, Riding, or Division are excluded from holding Jurisdiction in any such Liberty, Franchise, City, Town, or Place, in every such Case all the Powers, Authorities, and Duties, by this Act given to or imposed on such Justices, shall be exercised and performed by the Justices of the Peace of the Liberty, Franchise, City, Town, or Place in which the Offence shall be committed; and where the Offence shall be committed in a County of a City or Town, all the like Powers, Authorities, and Duties shall be exercised and performed by the Justices of the Peace of such County of a City or Town; and in every Action to be brought or summary Claim to be preferred under this Act against the Inhabitants of a County of a City or Town, or of any such Liberty, Franchise, City, Town, or Place, the Process for Appearance in the Action, and the Notice required in the Case of the Claim, shall be served upon some one Peace Officer of such County, Liberty, Franchise, City, Town, or Place; and all Matters which by this Act the High Constable of a Hundred is authorized or required to do in either of such Cases, shall be done by the Peace Officer so served, who shall have the same Powers, Rights, and Remedies as such High Constable has by virtue of this Act, and shall be subject to the same Liabilities; and shall, notwithstanding the Expiration of his Office, continue to act for all the Purposes of this Act until the Termination of all Proceedings in and consequent upon such Action or Claim; but if he shall die before such Termination, his Successor shall act in his Stead.

XIII. And, for securing the due Execution of Writs in the Cinque Ports, and in Places where Writs are directed to other Officers than the Sheriff, and in Liberties where the Sheriff is not warranted in executing Writs, be it enacted, That all other such Officers to whom any Writ of Execution under this Act shall be directed, by whatsoever Name they shall be known, shall have the same Power of granting a Warrant for Payment of the Sum by such Writ directed to be levied as is hereby given to the Sheriff in case of a Writ of Execution directed to him; and that every Sheriff and other such Officer as aforesaid shall have Authority to grant his Warrant under this Act, notwithstanding the Offence shall have been committed in, or the Treasurer or other Person to whom such Warrant shall be directed shall reside or be in, any Liberty where the Sheriff or Officer is not warranted in executing Writs.

Provision for
executing
Writs in certain
Places.

XIV. And as to the Mode of Payment and Reimbursement under this Act in such Liberties, Franchises, Cities, Towns, and Places as contribute to the Payment of the County Rate, but not as being Part of any Hundred, be it enacted, That the Warrant of the Sheriff or other Officer upon any Writ of Execution against the Inhabitants of any such Liberty, Franchise, City, Town, or Place, and every Order of Justices for Payment to the Party damnified therein, or to the Peace Officer or Inhabitants thereof, by virtue of this Act, shall be directed to the Treasurer of the County, Riding, or Division in which such Liberty, Franchise, City, Town, or Place shall be situate, who is hereby required to pay the same; and the Justices of the Peace
of

Mode of Reim-
bursement in
Liberties,
Cities, and
Towns not
within any
Hundred, but
contributing to
the County
Rate.

of such County, Riding, or Division, at their next General or Quarter Sessions of the Peace, or any Adjournment thereof, shall direct such Sum or Sums of Money as shall have been so paid or ordered to be paid by the Treasurer to be raised on such Liberty, Franchise, City, Town, or Place, over and above the general Rate to be paid by the same in common with the rest of the County, Riding, or Division, under the Acts relating to County Rates, and such Sum or Sums shall be raised in the Manner directed by those Acts, and shall be forthwith paid over to the Treasurer.

Mode of Reimbursement in Counties of Cities, and in Liberties, Cities, and Towns not contributing to any County Rate.

XV. And as to the Mode of Payment and Reimbursement under this Act in Counties of Cities and Towns, and in such Liberties, Franchises, Cities, Towns, and Places as do not contribute to the Payment of the general County Rate, be it enacted, That all Sums of Money payable either by virtue of any Warrant of the Sheriff or other Officer, or of any Order or Orders arising out of any Action or summary Claim against the Inhabitants of any County of a City or Town, or of any such Liberty, Franchise, City, Town, or Place, shall be paid out of the Rate (if any) in the Nature of a County Rate, or out of any Fund applicable to similar Purposes, where there is such a Rate or Fund therein, by the Treasurer or other Officer having the Collection or Disbursement of such Rate or Fund; and where there is no such Rate or Fund in such County, Liberty, Franchise, City, Town, or Place, the same shall be paid out of the Rate or Fund for the Relief of the Poor of the particular Parish, Township, District, or Precinct therein, where the Offence was committed, by the Overseers or other Officers having the Collection or Disbursement of such last-mentioned Rate or Fund; and in every such Case the Warrant and Orders shall be directed and delivered to such Treasurer, Overseers, or other Officers respectively, instead of the Treasurer of the County, Riding, or Division, as the Case may require.

This Act not to extend to Scotland or Ireland.

XVI. Provided always, and be it enacted, That nothing herein contained shall extend to *Scotland or Ireland*.

SCHEDULE.

FORM of NOTICE to the High Constable of a Hundred or other like District, or to the Peace Officer of a County of a City or Town, or of a Liberty, Franchise, City, Town, or Place.

To the High Constable [or to
stables] of, &c. [or to
of, &c.]

One of the High Con-
a Peace Officer

I HEREBY give you Notice, That I intend to claim Compensation from the Inhabitants of [*here specify the Hundred or other like District, or County of a City, &c., or Liberty, Franchise, &c., as the Case may be*], on account of the Damage which I have sustained by means of [*here state the Offence, the Time and Place where it was committed, and the Nature and Amount of the Damage*]; and I hereby require you, within Seven Days after your Receipt of this Notice, to exhibit the same to some Two Justices of the Peace of the County [*Riding or Division*]
of

of residing in or acting for the said Hundred, &c. [or if in a *Liberty, Franchise, &c.* where the Justices of the County, Riding, or Division have no Jurisdiction, then say, to some Two Justices of the Peace of, naming the *Liberty, Franchise, &c.*], [or if in a *County of a City, &c.* then say, to some Two Justices of the Peace of, naming the *County of the City, &c.*], in order that they may appoint a Time and Place for holding a Special Petty Session to hear and determine my Claim for Compensation by virtue of an Act passed in the Seventh and Eighth Years of the Reign of King George the Fourth, intituled *An Act for consolidating and amending the Laws in England relative to Remedies against the Hundred*; and you are required to give me Notice of the Day, Hour, and Place appointed for holding such Petty Session within Three Days after the Justices shall have appointed the same. Given under my Hand this Day of in the Year of our Lord

(Signed)

A. B.

FORM of NOTICE to be placed on the Church or Chapel Door or other conspicuous Part of the Parish, Township, or Place, (as the Case may be).

I HEREBY give Notice, That I shall apply for Compensation to the Justices of the Peace at a Special Petty Sessions to be holden at on the Day of next, at the Hour of in the Forenoon, on account of the Damage which I have sustained by means of [here state the *Offence, the Time and Place where it was committed, and the Nature and Amount of the Damage, in the same Manner as in the preceding Form.*] Given under my Hand this Day of in the Year of our Lord

(Signed)

A. B.

C A P. XXXII.

An Act to explain and amend an Act passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act to prevent the wilful and malicious Destruction of Dwelling Houses in Ireland.* [21st June 1827.]

WHEREAS by an Act passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act to prevent the wilful and malicious Destruction of Dwelling Houses in Ireland*, it is amongst other Things enacted, that all and every Person and Persons who, under Pretence of becoming *bonâ fide* Tenant or Tenants of any Dwelling House or other Building, or by Power under or Collusion with any Person or Persons having or claiming to have Title thereto, as Tenant or Tenants for the Term of any Life or Lives, with or without any Covenant for Renewal, or for Years, or other less Term, certain or at Will, shall obtain and get Possession of any Dwelling House or other Building for the fraudulent and malicious Purpose of pulling down or demolishing the same, or of doing other unlawful Waste or Destruction, or who, being possessed of any such Dwelling House or other Building, or Part of such Dwelling

7 G. 4. c. 40.

Description of
Persons de-
clared to be
Offenders
against the
recited Act.

‘ House or other Building, shall pull down or demolish or begin
‘ to pull down or demolish the same, or shall commit any other
‘ unlawful Waste or Destruction thereof or thereto, or shall pull
‘ down or sever from the Freehold any Fixture or Utensil being
‘ within or appurtenant to such Dwelling House or other Building,
‘ or such Part of such Dwelling House or other Buildings, or used
‘ or occupied therewith, or which in a due Course of Occupancy
‘ ought not to be so pulled down or severed from the Freehold,
‘ shall be deemed and are thereby declared to be guilty of a
‘ Misdemeanor, and shall be subject and liable, on Conviction
‘ thereof, to the like Pains and Penalties as in Cases of Mis-
‘ demeanor: And Whereas Doubts have arisen as to what Class
‘ of Offenders the said Enactment applies, other than those who
‘ shall obtain and get Possession of any Dwelling or other Build-
‘ ing for the fraudulent and malicious Purposes of pulling down
‘ or demolishing the same, or of doing other unlawful Waste or
‘ Destruction: And Whereas it is expedient that such Doubts
‘ should be removed, and that the said Enactment should be ex-
‘ pressly extended to the Offenders hereinafter mentioned and
‘ described;’ Be it therefore enacted by the King’s most Excel-
‘ lent Majesty, by and with the Advice and Consent of the Lords
‘ Spiritual and Temporal, and Commons, in this present Parliament
‘ assembled, and by the Authority of the same, That from and after
‘ the passing of this Act all Persons who, being possessed in any
‘ Manner or Right whatever of any Dwelling House or other
‘ Building, or any Part of any Dwelling House or other Building,
‘ held under or by virtue of any Lease or Agreement, or for any
‘ Term of Years, or other less Term, certain or at Will, (whether
‘ the Possession of such Dwelling House or other Building, or Part
‘ of such Dwelling House or other Building, shall have been ob-
‘ tained for the fraudulent and malicious Purpose of pulling down
‘ or demolishing the same, or for any other Purpose whatever,)
‘ shall wilfully, fraudulently, or maliciously, and not for the Pur-
‘ poses of any intended Improvements or beneficial Alteration
‘ therein, pull down or demolish, or begin to pull down or demolish
‘ the same, or commit any other unlawful Waste or Destruction
‘ thereof or thereto, or pull down or sever from the Freehold any
‘ Fixture or Utensil being within or appurtenant to such Dwelling
‘ House or other Building, or used or occupied therewith, or which
‘ in a due Course of Occupancy ought not to be so pulled down
‘ or severed from the Freehold, and also all Persons who shall wil-
‘ fully and knowingly aid, abet, or assist in the same, or who shall
‘ wilfully and knowingly purchase or contract to purchase the
‘ Materials or any Part of the Materials of which such Dwelling
‘ House or other Building or any Part of such Dwelling House or
‘ other Building was constructed, or any Fixture or Utensil being
‘ within or appurtenant to any such Dwelling House or other
‘ Building, or Part of such Dwelling House or other Building, or
‘ used and occupied therewith, and which in due Course of Occu-
‘ pancy ought not to be pulled down and severed from the Free-
‘ hold, shall be deemed and are hereby declared to be guilty of a
‘ Misdemeanor, and shall be subject and liable, on Conviction
‘ thereof, to the like Pains and Penalties as in Cases of Mis-
‘ demeanor.

· C A P.

C A P. XXXIII.

An Act for the further Regulation of the General Penitentiary at *Millbank*. [21st June 1827.]

WHEREAS the Acts now in force for the Regulation of the General Penitentiary at *Millbank* have been found insufficient for the Repression of mutinous and disorderly Behaviour on the Part of the Convicts towards the Officers of the said Penitentiary, and it is expedient to make further Provisions for securing that Object, as well as certain other Objects conducive to the Well-being of the said Establishment ; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Convict in the General Penitentiary at *Millbank* shall assault the Governor thereof, or any Officer or Servant employed therein, the Committee appointed for the Management of the said Penitentiary under or by virtue of the said Acts may order him or her to be prosecuted for the said Offence, and upon Conviction thereof such Offender shall be liable to be confined in the said Penitentiary for any Term not exceeding Two Years, in addition to the Term for which at the Time of committing such Offence he or she was subject to be confined, and shall also be liable (if a Male) to be publicly or privately whipped, if the Court shall so think fit.

Punishment of Convicts assaulting the Governor or any other Officer.

II. And be it enacted, That it shall be lawful for the Committee of the said Penitentiary from time to time to specify, by a Regulation or Regulations, such Offences as shall appear to them deserving of Corporal Punishment, such Regulations to be submitted to the Judges of the Court of King's Bench for their Sanction, in Manner directed by the Act passed in the Fifty-sixth Year of the Reign of King George the Third, intituled *An Act to regulate the General Penitentiary for Convicts at Millbank in the County of Middlesex* ; and if any Male Convict in the said Penitentiary shall, after the Sanction of the said Judges shall be received, commit any Offence whereby he shall under such Regulations become liable to Corporal Punishment, the Governor of the said Penitentiary shall have Power to report such Offence to some One of His Majesty's Justices of the Peace for the County of *Middlesex*, who shall as soon as convenient repair to the said Penitentiary, and shall enquire into the Offence so reported to him, and shall for that Purpose examine any Person upon Oath, if he shall so think fit, and if upon Proof of the Offence he shall be of Opinion that the same, under the Regulations above referred to, and under the Circumstances of the Case, is deserving of Corporal Punishment, such Magistrate is hereby authorized to order the Offender to be publicly or privately whipped : Provided always, that no Convict who shall have been so corporally punished shall for the same Offence be liable to be ordered by the Committee of the said Penitentiary to be punished by Confinement in a dark Cell upon Bread and Water ; but it shall nevertheless be competent to the said Committee to removed such Convict, if ranked in the Second Class, into the First Class ; and in case of Removal into the First

Corporal Punishment may be inflicted in certain Cases and under certain Restrictions.

Corporal Punishment and solitary Confinement not to be inflicted for the same Offence.

Prosecutions
against Con-
victs for
Offences in the
Penitentiary.

Class, such Convict shall from the Time of making the Order of Removal remain in such First Class until he shall be restored to the Second Class by Order of the Committee, or until the Term of his Confinement in the said Penitentiary shall be completed.

III. And be it enacted, That if any Convict who shall be under Confinement in the said Penitentiary shall at any Time during the Term of such Confinement break Prison, or escape, or be rescued from the said Penitentiary, or shall escape or be rescued in his or her Conveyance thereto, or from the Person or Persons having the lawful Custody of such Convict, or shall commit any other Offence mentioned in this Act or in any Act relating to the said Penitentiary, and cognizable by any Criminal Court, every such Offender may be tried either in the Jurisdiction where the Offence was committed or in that where he or she shall be apprehended and retaken; and in case of any Prosecution for any of the Offences aforesaid, against any such Convict, or against any other Person concerned therein, or aiding, abetting, or assisting the same, the Order of One of His Majesty's principal Secretaries of State for the Confinement of such Convict in the said Penitentiary, together with due Proof of the Identity of the Person of such Convict, and Production of the Register of the said Penitentiary in which the Commitment of such Convict, and of his having been received into the said Prison under such Order, shall be entered, shall be sufficient Evidence of all the Facts inserted in such Registry as to such Convict, without the Production of any Record of such Conviction, or Proof that such Convict had been convicted of Felony, and legally ordered to be confined in the said Penitentiary.

Incorrigible
Convicts may
be reported by
the Committee
to the Secretary
of State, who
may remit them
to their original
Sentences.

IV. And be it enacted, That if any Convict shall, within the first Half of the Period for which he or she shall be confined, appear to the said Committee to be incorrigible by the Discipline of the said Penitentiary, such Convict having been subjected to Confinement in a dark Cell for Offences committed within the said Penitentiary, in every such Case it shall be lawful for the said Committee to represent the Conduct of such Convict to One of His Majesty's principal Secretaries of State, who may thereupon order such Convict to be removed to any Place appointed for the Reception of Convicts under Sentence of Transportation; and the Convict so removed shall be liable to be confined or transported under his or her original Sentence of Transportation, and to the full Extent of the Term specified in such Sentence, and shall be subject to all the Consequences of such Sentence, in the same Manner as if no Order for his or her being sent to the Penitentiary had ever been made.

Removal of
diseased Pri-
soners.

V. And be it enacted, That if any Convict shall be reported by the Medical Officers of the said Penitentiary to the said Committee to be afflicted with any Disorder which would be likely to be materially benefited by the Removal of such Convict to any of the Vessels in which Convicts are confined under the Act passed in the Fifth Year of His present Majesty's Reign, intituled *An Act for the Transportation of Offenders from Great Britain*, it shall be lawful to the Committee to represent the State of Health of such Convict to One of His Majesty's principal Secretaries of State, who may thereupon order such Convict to be

be removed to any of such Vessels, there to remain for such Time as he would otherwise have been confined in the Penitentiary, or until he shall be removed back to the Penitentiary by a similar Order, to be therein confined under the original Order for his Confinement therein, or shall receive his Majesty's most gracious Pardon.

‘ VI. And Whereas by the said recited Act it is enacted, that the Committee of the said Penitentiary shall at the Beginning of every Session make a faithful Report to the King in Council, and to both Houses of Parliament, specifying the State of the Buildings, the Behaviour and Conduct of the respective Officers, the Treatment and Condition of the Convicts, the Amount of their Earnings, and the Expences of such Penitentiary: And Whereas the said Provision, so far as regards the Period of making the said Report, requires Amendment, to enable the said Committee to lay such Accounts at all Times before Parliament up to the End of the preceding Year;’ Be it therefore enacted, That after the passing of this Act the said Committee shall make such Report as aforesaid on or before the Fifteenth Day of *March* in each Year, up to the End of the Year then last past, if Parliament shall be then sitting, and if not, then within Fifteen Days after the Meeting of Parliament at any subsequent Period of the Year.

Period of laying the Returns before Parliament.

‘ VII. And Whereas by the said recited Act it is provided, that the Governor of the said Penitentiary shall keep a regular Book or Books in which shall be entered the Names of all the Persons who shall be in his Custody, together with various Particulars specifically mentioned in the said Act, from which Books, Returns of the Particulars so mentioned are by the said Act ordered to be made on the First Day of every Term to His Majesty's Court of King's Bench, and to be verified on the Oath of the Person making the same: And Whereas it is expedient to simplify the Form of such Returns;’ Be it therefore enacted, That from and after the passing of this Act the Returns from the said Penitentiary to be made and verified to His Majesty's Court of King's Bench on the First Day of every Term, shall be deemed sufficient, provided they contain the following Particulars, (that is to say) the Number of Convicts who shall actually be in the said Penitentiary, the Number of those who shall have been received or discharged since the Return then last preceding, the Number of those who shall have died in such Custody or shall have escaped therefrom since such last Return, and also a Statement of the general Health of the Convicts in the said Penitentiary.

Form of Returns.

‘ VIII. And Whereas it is expedient to make Provision for the due Management of the said Penitentiary during the Absence or Sickness of the Governor, or during the Vacancy of that Office;’ Be it therefore enacted, That in case of the Absence or Sickness of the Governor of the said Penitentiary, or in case of the Vacancy of that Office, or in case of any Event whatsoever which may prevent the Governor from personally discharging the Duties of his Office, it shall be lawful for the Committee of the said Penitentiary from time to time, by a written Order for that Purpose, to delegate and intrust to any One or

The Committee may appoint a Deputy during the Absence of the Governor.

more Person or Persons the Whole or any Part of the Duties or Powers belonging to the Office of Governor, as to the said Committee shall seem meet; and such Person or Persons shall be as fully competent to discharge and exercise the Powers and Duties so delegated and intrusted to him or them, and shall be as fully responsible for the proper Discharge and Exercise thereof, as the Governor of the said Penitentiary now is or hereafter shall be by virtue of any Act or Acts relating to the said Penitentiary; and all the Officers, Servants, and Convicts in the said Penitentiary shall be bound to obey the Person or Persons so exercising, under the Order of the said Committee, any of the Powers of the Governor, and shall be subject to the same Punishment and Consequences for Disobedience as if the Person disobeyed was actually the Governor of the said Penitentiary.

C A P. XXXIV.

An Act to amend the Acts relating to the Provision of Ministers in Cities and Corporate Towns in *Ireland*.

[21st June 1827.]

Irish Act,
17 & 18 Car. 2.
c. 7.

33 G. 3. c. 56.

‘ WHEREAS by an Act made in the Parliament of *Ireland* in the Session holden in the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, among other Things for Provision of Ministers in Cities and Corporate Towns in *Ireland*, it is enacted, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors, and Six or more of His Majesty’s Privy Council in *Ireland*, to allot, ascertain, set forth, and charge certain Sums of Money to be paid to the several Incumbents within the City and Suburbs of *Dublin*, and Liberties thereunto adjoining, and other Cities and Towns Corporate in *Ireland*, who have actual Cure of Souls in each Parish respectively, out of the Houses belonging to such Parish respectively, according to the yearly Value of each House, to be allotted and charged on the Inhabitants in Manner in the said Act mentioned; and that the Sum so allotted and charged shall be received by the Churchwardens of each Parish respectively, and by them paid to the several and respective Incumbents; and in case of Refusal or Delay of Payment, such Churchwardens are by the said Act empowered to levy such Sums by Distress and Sale; and on Failure of their Duties therein, such Churchwardens are punishable as in the said Act is provided: And Whereas by an Act made in the Parliament of *Ireland* in the Thirty third Year of the Reign of King *George* the Third, intituled *An Act respecting the Collection of Public Money to be levied in the County of the City of Dublin by Presentment*, the Churchwardens in the respective Parishes in the County of the said City are required to return to the Treasurer of the Public Money an exact Account of the gross Sum of Ministers Money payable by the Inhabitants of each and every such Parish: And Whereas the Performance of the Duties required by the said Acts by the Churchwardens of Parishes is in many respects grievous to such Churchwardens; Be it therefore enacted by the King’s most Excellent Majesty, by

by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act it shall and may be lawful for the several and respective Incumbents, and their respective Successors, within the City and Suburbs of *Dublin*, and Liberties thereunto adjoining, and within other Cities and Towns Corporate in *Ireland*, who have actual Cure of Souls in each Parish respectively, and such Incumbents are hereby respectively authorized, empowered, and required from time to time, by any Writing under the Hand of any such Incumbent respectively, to nominate and appoint any Person or Persons willing to act as such, to be a Collector or Collectors of all Sums allotted or charged according to the said recited Act of the Seventeenth and Eighteenth Years of King *Charles* the Second, for Ministers Money, upon the Inhabitants of the respective Houses in any and every such Parish respectively; and every such Collector so appointed shall collect and receive all Sums so allotted or charged, and shall pay the same to the several and respective Incumbents, in like Manner as Churchwardens are directed to do by the said recited Act; and in case of Refusal or Delay of Payment of any Sums so allotted or charged, it shall be lawful for any and every such Collector to levy and distrain for the same in like Manner as Churchwardens are empowered to do by the said recited Act; and it shall be lawful for any and every such Collector, and he and they is and are hereby authorized and empowered, to do and perform all such Matters and Things, and shall be subject to all such Liabilities as any Churchwarden or Churchwardens is or are authorized or required to do or are subject to with respect to any Sums so allotted or charged for Ministers Money as aforesaid, under or by virtue of the said recited Acts or either of them, or any other Act or Acts relating to such Ministers Money, in force in *Ireland* immediately before the passing of this Act.

Incumbents may appoint Collectors of Ministers Money in *Dublin* and other Cities and Towns; and such Collectors shall have like Power in collecting, &c. such Money, as Churchwardens have under recited Acts.

C A P. XXXV.

An Act for the further Improvement of the Road from *London* to *Holyhead*, and of the Road from *London* to *Liverpool*.

[21st June 1827.]

‘ WHEREAS an Act was passed in the Fifty-fifth Year of the
 ‘ Reign of His late Majesty King *George* the Third, intituled
 ‘ *An Act for granting to his Majesty the Sum of Twenty thousand*
 ‘ *Pounds, to be issued and applied towards repairing Roads between*
 ‘ *London and Holyhead, by Chester, and between London and*
 ‘ *Bangor, by Shrewsbury*; and by the said Act certain Commis-
 ‘ sioners were appointed for carrying the same into Execution:
 ‘ And Whereas an Act was passed in the Fifty ninth Year of the
 ‘ Reign of His late Majesty King *George* the Third, intituled
 ‘ *An Act to amend an Act passed in the Fifty fifth Year of His*
 ‘ *present Majesty, for granting to His Majesty the Sum of Twenty*
 ‘ *thousand Pounds, towards repairing Roads between London and*
 ‘ *Holyhead, by Chester, and between London and Bangor, by*
 ‘ *Shrewsbury*; and for giving additional Powers to the Commis-
 ‘ sioners therein named, to build a Bridge over the Menai Straits,

55 G. 3. c. 152.

59 G. 3. c. 48.

1 & 2 G. 4.
c. 380.

4 G. 4. c. 74.

6 G. 4. c. 100.

7 G. 4. c. 76.

and to make a new Road from Bangor Ferry to Holyhead in the County of Anglesea: And Whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act for further improving the Roads between London and Holyhead, by Coventry, Birmingham, and Shrewsbury*: And Whereas an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for vesting in Commissioners the Bridges now building over the Menai Straits, and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth; and for the further Improvement of the Road from London to Holyhead*; and by the said Act certain Commissioners have been appointed for carrying the same into Execution, and various Powers have been given to the said Commissioners: And Whereas an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to extend the Powers of an Act for vesting in Commissioners the Bridges building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead*: And Whereas an Act was passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act for further extending the Powers of an Act for vesting in Commissioners the Bridges building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead*, reciting the several hereinbefore-mentioned Acts of the Fifty fifth and Fifty ninth Years of the Reign of His late Majesty, and of the Fourth and Sixth Years of the Reign of His present Majesty, and reciting that it would be of great Public Benefit if the Commissioners of His Majesty's Treasury were authorized to advance to the Commissioners for carrying into Execution the said Act of the Fourth Year of the Reign of His present Majesty, such Sum of Money as was thereafter mentioned, to enable them to make other Alterations and Improvements on the Line of Road from *London to Holyhead*; it was enacted, that it should and might be lawful to and for the said Commissioners of His Majesty's Treasury, or any Three or more of them, and they were thereby authorized, if they should think proper so to do, on Application being made to them by the said Commissioners for carrying into Execution the said recited Act of the Fourth Year of the Reign of His present Majesty, by Warrant or Warrants under their Hands, to direct the Auditor of the Receipt of His Majesty's Exchequer to make forth and pass Debentures from time to time for issuing, out of the growing Produce of the Consolidated Fund, to the said Commissioners for carrying into Execution the said Act of the Fourth Year of His present Majesty's Reign, any Sum or Sums of Money not exceeding in the whole the Sum of Thirty two thousand Pounds; and it was further enacted, that upon any such Advance being made to the said Commissioners for carrying into Execution the said recited Act of the Fourth Year of the Reign of His present Majesty, the said last-mentioned Commissioners, or any Three of them, should execute an Instrument in Writing, in such Form as the said

' said Commissioners of His Majesty's Treasury should direct
' and appoint, in which Instrument the said Commissioners for
' carrying into Execution the said recited Act of the Fourth Year
' of the Reign of His present Majesty should acknowledge the
' Receipt of the Money for the Time being advanced, and should
' undertake to apply the Produce thereof in the Manner in which
' the same ought to be applied in pursuance of the Directions
' thereafter contained, and should also undertake to pay the
' same, and the Interest thereof, when and as the same should be
' received by them, under the Provisions thereafter contained,
' into the Exchequer, to the Account of the Consolidated Fund,
' as thereafter directed, and should also undertake to put in
' force, if necessary, the several Powers and Remedies therein-
' after given them for obtaining Payment thereof; and it was
' thereby further enacted, that the Commissioners acting in the
' Execution of the said Act of the Fourth Year of the Reign of
' His present Majesty should apply the Sums to be so advanced
' in Manner following; (that is to say), any Sum not exceeding
' the Sum of Fourteen thousand Pounds in making and completing
' a new Cut or Piece of Road, leaving the present Road from *Lon-*
' *don to Holyhead* in the Town of *Barnet*, and falling into the same
' Road again at *South Mims*, the same being within the Limits and
' District of the *Saint Albans* Trust; any Sum not exceeding the
' Sum of Five thousand Pounds in making Alterations and Im-
' provements in the Road from *London to Holyhead* between *Old*
' *Stratford* and *Dunchurch*, the same being within the Limits and
' District of the *Dunchurch* and *Stratford* Trust, and in repairing
' the new Pieces of Road which would be formed in making such
' Alterations and Improvements, for the Period of Two Years
' after the same should have been completed; and any Sum not
' exceeding the Sum of One thousand Pounds in completing the
' new Cut or Piece of Road commencing at or near the *Peahen*
' *Isle* in the Town of *Saint Albans*, which said Cut or Piece of
' Road was within the Limits of the *Saint Albans* Trust, and in
' repairing the same for the Period of Two Years after the same
' should have been completed, and in making the new Branch or
' Communication Road directed to be made in lieu of *Kingsbury*
' *Lane* in and by the said recited Act of the Sixth Year of the
' Reign of His present Majesty: And Whereas, after appropri-
' ating the several Sums of Fourteen thousand Pounds, Five thou-
' sand Pounds, and One thousand Pounds, directed by the said
' Act of the Seventh Year of the Reign of His present Majesty
' to be applied in carrying the several Alterations and Improve-
' ments therein mentioned into Effect, the Sum of Twelve thousand
' Pounds, Residue of the said Sum of Thirty two thousand Pounds,
' mentioned in the said last-mentioned Act, will remain to be ap-
' plied by the said Commissioners for carrying into Execution the
' said Act of the Fourth Year of the Reign of His present Ma-
' jesty, in making other Alterations and Improvements in the Line
' of Road from *London to Holyhead*: And Whereas it would be
' of great Utility and Advantage to the Public if the Commis-
' sioners for carrying into Execution the said recited Act of the
' Fourth Year of the Reign of His present Majesty were au-
' thorized and empowered to apply the Sum of Twelve thousand

Pounds,

‘ Pounds, Residue of the said Sum of Thirty two thousand Pounds
 ‘ as aforesaid, in forming, making, and completing a new Piece
 ‘ of Road, commencing at the *Seven Stars* Public House at
 ‘ *Whitley* in the County of the City of *Coventry*, and extending
 ‘ from thence to the Village of *Allesley* in the County of *War-*
 ‘ *wick*: And Whereas the Communication between *London* and
 ‘ *Liverpool* is of great Public Importance, and in order to improve
 ‘ the same it is desirable that such Powers as are hereinafter con-
 ‘ tained, with respect to the Line of Road from *London* to *Liver-*
 ‘ *pool* by *Lichfield*, *Newcastle*, and *Northwich*, should be given to
 ‘ the said Commissioners for carrying into Execution the said
 ‘ recited Act of the Fourth Year of the Reign of His present
 ‘ Majesty:’ May it therefore please Your Majesty that it may be
 enacted; and be it enacted by the King’s most Excellent Ma-
 jesty, by and with the Advice and Consent of the Lords Spiritual
 and Temporal, and Commons, in this present Parliament assem-
 bled, and by the Authority of the same, That it shall and may be
 lawful to and for the Commissioners acting in the Execution of
 the said recited Act of the Fourth Year of the Reign of His pre-
 sent Majesty, to apply the Sum of Twelve thousand Pounds,
 Residue of the said Sum of Thirty two thousand Pounds authorized
 by the said recited Act of the Seventh Year of the Reign of His
 present Majesty to be advanced to them by the Commissioners of
 His Majesty’s Treasury as aforesaid, in making and completing a
 new Cut or Piece of Road, leaving the present Road from *London*
 to *Holyhead* at the *Seven Stars* Public House at *Whitley* in the
 County of the City of *Coventry*, and passing from thence in nearly
 a direct Line to within a short Distance of the Southern End of
Little Park Street in the City of *Coventry*, and from thence into
Hertford Street in the same City, and leaving the said City at
Saint John’s Church, and passing from thence in a direct Line to
 the Village of *Allesley* in the County of *Warwick*, the same being
 within the Limits and District of the *Dunchurch* and *Stonebridge*
 Trust, and in or towards the repairing and maintaining such Parts
 of the said new Piece of Road as hereinafter mentioned, for the
 Period of Two Years after the same shall have been completed
 and opened to the Public.

‘ II. And Whereas, for the Purpose of making the Alterations
 ‘ and Improvements herein directed to be made, it will be expe-
 ‘ dient and necessary to take down and remove the Houses de-
 ‘ scribed in the Schedule to this Act annexed, and to take and
 ‘ make use of the Gardens, Lawns, Orchards, and Grounds
 ‘ attached to such Houses, or specified and described in the
 ‘ said Schedule:’ Be it therefore further enacted, That it shall
 and may be lawful for the said Commissioners acting in Execution
 of the said Act of the Fourth Year of the Reign of His present
 Majesty to take down and remove all or any of the Houses de-
 scribed in the said Schedule to this Act annexed, and also to take
 and make use of any of the Gardens, Lawns, Orchards, or Grounds
 described in the said Schedule, if they shall deem it necessary or
 expedient to remove, take, or make use of the same, for the Pur-
 pose of making the Alterations and Improvements in this Act men-
 tioned; but the said last-mentioned Commissioners, previous to
 their removing or taking any such Houses, Gardens, Lawns,
 Orchards,

12,000*l.* may
 be applied
 towards Im-
 provement of
 Dunchurch
 Road.

Power to take
 down Houses
 in Schedule, on
 giving Notice
 and tendering
 Satisfaction.

Orchards, or Grounds, shall give Six Months Notice in Writing to the Occupier or Occupiers thereof of their Intention so to do, and shall also first make such Satisfaction to the Owner or Owners, Occupier or Occupiers of such House or Houses, Gardens, Lawns, Orchards, or Grounds, as shall be agreed upon between him, her, or them, and the said last-mentioned Commissioners, or as shall be ascertained by a Jury, pursuant to the Provisions hereinafter referred to or contained.

III. Provided always, and be it further enacted, That if any of the Houses, Gardens, Lawns, Orchards, or Grounds mentioned and described in the said Schedule to this Act, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, shall happen to be omitted, misnamed, or inaccurately described, then and in such Case, if it shall appear to any Two or more of His Majesty's Justices of the Peace for the County of *Warwick*, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, the same shall not prevent or retard the Execution of this Act, but the same Premises, and every Part thereof, shall and may be purchased and sold, or assessed and valued, in Manner herein mentioned or referred to, and conveyed, disposed of, and applied for and to the Purpose of making the Alterations and Improvements hereinbefore mentioned, as fully and effectually as if the same was or were properly named and described in the said Schedule.

Proviso against
Misdescription
of Houses, &c.

IV. And be it further enacted, That the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall and may and they are hereby empowered and required to make such Contracts and Agreements as they shall think proper, with skilful Persons and their Sureties, for the making and completing the said new Cut or Piece of Road from the *Seven Stars* Public House to *Allesley*, and to appoint such Person or Persons as they shall think proper, who shall from time to time, under such Regulations as the said Commissioners shall direct, draw for the necessary Sums to defray the Expences thereof; and the making and completing the said Piece of Road shall be done by Contract, and in no other Way whatsoever.

Commissioners
empowered to
make Contracts
for making the
Improvements.

V. And be it further enacted, That the said new Piece of Road, which shall be made under the Provisions hereinbefore contained, shall be opened to the Public as soon as the same shall be completed; and so much of such Road as lies between the *Seven Stars* Public House and the Walls of the City of *Coventry* near *Little Park Street* in the City of *Coventry*, and between the City of *Coventry* and the Village of *Allesley*, shall, for the Period of Two Years after the same shall have been completed and opened to the Public, be repaired, maintained, and supported by and under the Care and Superintendence of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, and after the Expiration of the said Period of Two Years the same shall be made over to and from thenceforth be vested in the Trustees of the *Dun-church* and *Stonebridge* Trust, acting in the Execution of an Act passed in the Fifth Year of the Reign of His present Majesty,

New Roads to
be repaired by
the Commis-
sioners for Two
Years, and then
to be made
over to Trust-
ees of 5 G. 4.
c. 43.

intituled

intituled *An Act for repairing the Road from Dunchurch to Stonebridge in the County of Warwick.*

VI. And Whereas by the said last-mentioned Act it was enacted, that the Trustees for executing that Act should demand and take on the said Road an additional Toll, amounting to One Fourth of the Tolls thereinbefore authorized to be collected and taken, until the Sum of Three thousand five hundred Pounds, in the said Act mentioned, with the Interest then due and to become due in respect thereof, should be fully paid and satisfied, and should apply such additional Toll solely in the Repayment of the said Sum of Three thousand five hundred Pounds: And Whereas in pursuance of the said Provision of the said Act the said additional Toll has been collected, and the Monies arising therefrom applied in or towards Payment of the Principal and Interest of the said Sum of Three thousand five hundred Pounds and Interest: And Whereas the Commissioners named and appointed in and by an Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts, of the Fifty seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, advanced and lent to the Trustees for executing the said recited Act of the Fifth Year of the Reign of His present Majesty, as aforesaid, the Sum of Two thousand Pounds, for further improving the Roads within their Trust, and such last-named Trustees did, by Indenture, bearing Date the Twenty eighth Day of December One thousand eight hundred and twenty six, assign to *William Holden Esquire, Secretary to the Commissioners for the Issue of Exchequer Bills* as aforesaid, the said additional Tolls, to hold the same until the said Sum of Two thousand Pounds, with Interest thereon after the Rate of Four Pounds *per Centum per Annum*, should be fully paid and satisfied: And Whereas it will be necessary that some Provision shall be made for the Repayment of the Sum of Twelve thousand Pounds, hereinbefore directed to be applied in making the said new Piece of Road within the said Trust, and the Interest thereof, as hereinafter mentioned; Be it therefore further enacted, That the said Trustees for executing the said last-mentioned Act shall, from and after the First Day of January One thousand eight hundred and twenty eight, cease to demand and take the additional Toll by the said last-mentioned Act authorized to be taken, and in lieu thereof the said Trustees shall and they are hereby authorized and required to demand and take, at the several Turnpike Gates, Bars, or Side Gates, or Chains, which are or shall be erected by virtue of the said Act or any other Act upon, across, or on the Side or Sides of the said Road, or any Part thereof, besides the ordinary Tolls by the said Act authorized to be collected and taken, the several Tolls following; (that is to say),

For every Horse or Beast of Draught, drawing any Coach, Sociable, Berlin, Landau, Chariot, Barouche, Chaise Marine, Calash,

3 G. 4. c. 86.

Additional
Tolls to be collected by the
Trustees of the
Dunchurch and
Stonebridge
Trust, in lieu
of additional
Tolls under
5 G. 4. c. 43.

Calash, Curricke, Chair, Gig, Whiskey, Caravan, Hearse, Litter, or other such like Carriage, if drawn by more than Four Horses, or other Beasts of Draught, the Sum of Two Pence; and if drawn by Four Horses or other Beasts of Draught, the Sum of Two Pence Farthing; and if drawn by Two or Three Horses or other Beasts of Draught, the Sum of Three Pence; and if drawn by One Horse or other Beast of Draught, the Sum of Three Pence :

For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, the Sum of Two Pence Halfpenny :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Halfpenny :

And the said additional Tolls shall be continued to be taken and collected until as well the said Two several Sums of Three thousand five hundred Pounds and Two thousand Pounds, with the Interest now due and to become due in respect thereof, or so much thereof as still remains unpaid, as also the Sum of Twelve thousand Pounds hereinbefore authorized to be applied in making the said new Piece of Road within the said Trust, together with Interest for the same at the Rate of Four Pounds *per Centum per Annum*, shall be fully paid and satisfied.

VII. And be it further enacted, That all the said Tolls hereby authorized to be taken, collected, and received by the said Trustees of the *Dunchurch* and *Stonebridge* Trust, shall and may be demanded, taken, collected, and recovered by the said Trustees by and under all such and the like Powers and Authorities, Provisions, and Remedies, as the other Tolls by the said Act of the Fifth Year aforesaid authorized to be demanded, taken, collected, and recovered on the Road now under the Management of the said Trustees; and all and every Act of Parliament, and all Clauses, Exemptions, Penalties, Forfeitures, and Provisions relating to the said last-mentioned Road, and to the Tolls by the said Act of the Fifth Year aforesaid authorized to be taken thereon, shall be in full Force, Operation, and Effect, as far as the same severally apply, with respect to the said Trustees of the *Dunchurch* and *Stonebridge* Trust, as fully and effectually as if the same were repeated and re-enacted in and by this Act with relation to the said Tolls hereby authorized to be collected.

VIII. And be it further enacted, That it shall be lawful for the said Trustees of the *Dunchurch* and *Stonebridge* Trust, and they are hereby authorized and required to apply the Monies arising from the said additional Tolls to be so collected by them as aforesaid, in the first Place, in Payment of the said Two several Sums of Three thousand five hundred Pounds and Two thousand Pounds, and the Interest thereof respectively, or so much thereof as still remains due and unpaid; in the next Place, in repaying to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, the Sum of Twelve thousand Pounds, to be applied, under the Provisions hereinbefore contained, in making the aforesaid new Piece of Road within the said Trust, together with Interest at the Rate of Four Pounds *per Centum per Annum*, to be computed from

Tolls authorized by this Act shall be collected under the same Powers and Provisions as the other Tolls.

Application of additional Tolls.

from the Time or respective Times of advancing the same, or so much of the said last-mentioned Sum as shall be or the Time being due and unpaid.

Distinct Accounts to be kept of new Tolls.

IX. And be it further enacted, That in case the said Tolls on the said *Dunchurch* and *Stonebridge* Road shall be let, the said Trustees shall keep distinct Accounts of the said additional Tolls, and of the ordinary Tolls by the said Act of the Fifth Year of the Reign of His present Majesty authorized to be taken.

If Trustees neglect to collect or pay over Tolls, Commissioners to collect the same.

X. And be it further enacted, That in case the said Trustees of the *Dunchurch* and *Stonebridge* Trust shall neglect or refuse to levy and collect the additional Tolls hereby authorized to be levied and collected, or shall make any Default in Payment of the Sum hereinbefore directed to be paid by them to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, or the Interest thereof, then and in either of such Cases it shall be lawful for the said Commissioners to enter upon and take Possession of the Tolls, Gates, Bars, and Toll Houses of the said Trustees, and to collect, levy, and receive the Tolls by the said Act of the Fifth Year of the Reign of His present Majesty and by this Act authorized to be taken, and to exercise all the Powers and Authorities by the said Act of the Fifth Year aforesaid, or this Act, or any other Act of Parliament, given to the said Trustees, as fully and effectually as if the same were here expressly repeated and re-enacted with reference to the said Commissioners.

Toll Gates to be erected on the new Pieces of Road in and near Coventry.

XI. And Whereas by an Act passed in the Fifty second Year of the Reign of His late Majesty King *George* the Third, intitled *An Act for improving the Public Roads in and through the City of Coventry*, the Trustees acting in execution of that Act were authorized to erect Toll Gates across or on the Sides of the Streets and Lanes therein particularly mentioned, and across or on the Sides of any Roads to be made, widened, or straitened under the Powers of that Act, and across the End of any Lane or Way leading into the same, and to collect at such Toll Gates the Tolls in the said Act mentioned: And Whereas, as soon as so much of the new Piece of Road hereinbefore directed to be made as lies between the Site of the late Walls of the City of *Coventry* and *Hertford Street* in the said City, and so much of the said new Piece of Road as lies between *Saint John's Church* in the said City and the Village of *Allesley*, shall be respectively completed and opened to the Public, it will be expedient that the Toll Gates hereinafter mentioned should be erected, and the Tolls hereinafter mentioned should be collected; Be it therefore further enacted, That it shall be lawful for the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, to erect a Toll Gate in the said City of *Coventry* across the new Line of Road near *Little Park Street*, and another Toll Gate across the said new Line of Road from *Coventry* to the Village of *Allesley*, near *Saint John's Church* aforesaid, together with Side Gates on any Part of the said new Line of Road, with Toll Houses thereto.

Tolls to be taken thereat.

XII. And be it further enacted, That when and so soon as the said new Line of Road shall be completed and opened to the Public, the said Trustees acting in execution of the said recited Act

Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, to collect, demand, and receive, at each of the Toll Gates and Bars to be so erected as aforesaid by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, the Tolls following; (that is to say),

For every Horse or Beast of Draught, drawing any Coach, Sociable, Berlin, Landau, Chariot, Barouche, Chaise Marine, Calash, Curricle, Chair, Gig, Whiskey, Caravan, Hearse, Litter, or other such like Carriage, the Sum of Four Pence Halfpenny :
For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, the Sum of Three Pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Seven Pence Halfpenny *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Three Pence Three Farthings *per* Score, and so in proportion for any greater or less Number.

XIII. Provided always, and be it further enacted, That the said Tolls shall be taken only Once in the same Day for the same Horse or other Beast of Draught or Animal, for passing through each of the Gates to be erected as hereinbefore mentioned, during the same Day (except in respect to Horses or other Beasts of Draught drawing any Public Stage Coach or Coaches, or Stage Carriages or Caravans, or Post Chaises, travelling for Hire, which shall pay each and every Time of passing through the said Toll Gates or Side Gates).

XIV. And Whereas by the said Act of the Fifty second Year of the Reign of His late Majesty it is enacted, that none of the Tolls thereby authorized to be taken should be demanded, taken, or received at any of the Turnpike or Toll Gates to be erected or continued on the Roads therein mentioned, for or in respect of any Horse, Mare, Gelding, Mule, or other Beast of Draught, drawing any Coach, Chariot, Chaise, Berlin, Landau, Calash, Gig, or Pleasure Carriage, or any Waggon, Wain, Cart, or Dray, or for or in respect of any Horse, Mare, Gelding, Mule, Ox, Cow, Neat Cattle, Calf, Hog, Sheep, or Lamb, or other Beast or Cattle passing into the said City of *Coventry*, or to any Part or Parts thereof, from *Cheylesmore Place*, and certain Lands thereto belonging, known by the Name of *Cheylesmore Park*, through the Gates therein mentioned; and it is reasonable that the same Exemption should be continued; Be it therefore enacted, That none of the Tolls lastly hereby authorized to be taken shall be demanded, taken, or received at the said Toll Gates or Side Gates, for or in respect of any Horse, Mule, or other Beast of Draught, drawing any Coach, Chariot, Chaise, Berlin, Landau, Calash, Gig, or Pleasure Carriage, or any Waggon, Wain, Cart, or Dray, or for or in respect of any Horse, Mule, Ox, Cow, Neat Cattle, Calf, Hog, Sheep, or Lamb, or other Beast or Cattle passing into the said City of *Coventry*, or to any Part or Parts thereof, from

Cheylesmore

Tolls to be paid only Once a Day.

No Toll to be taken for Horses, &c. passing into Coventry from Cheylesmore Park.

Cheylesmore Place, and certain Lands thereto belonging, known by the name of *Cheylesmore Park*: Provided always, that no Horse, Mule, or other Beast hereinbefore mentioned, shall be exempt from the said Tolls, unless actually going to or from the said Lands, or some Part or Parts thereof.

Tolls in Coventry to be collected by Trustees of 53 G. 3. c. 57. till that Act expires, and then by the Dunchurch and Stonebridge Trustees.

XV. And be it further enacted, That the said Trustees acting in execution of the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, shall continue to collect and receive the said Tolls hereinbefore authorized to be collected by them, until the Powers and Provisions of the said last-mentioned Act are carried into Effect, or until the Term limited by the said Act for the Continuance thereof shall expire, whichever shall first happen; and immediately upon the happening of such one of the said Events as shall first happen, all the Toll Houses, Bars, and Gates to be erected as aforesaid by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, shall vest in and become the Property of the said Trustees of the *Dunchurch* and *Stonebridge* Trust; and the said last-mentioned Trustees shall from thenceforth demand, collect, and receive the said Tolls hereby authorized to be taken at the said Gates and Bars, and shall continue to demand, collect, and receive the same until the said Sum of Twelve thousand Pounds, hereinbefore directed to be applied in making the said new Piece of Road from the *Seven Stars* Public House at *Whitley* to the Village of *Allesley* aforesaid, together with all Interest for the same, shall be fully paid and satisfied.

Application of Coventry Tolls.

XVI. And be it further enacted, That during such Time as the said Tolls hereby authorized to be taken as last aforesaid shall be collected by the said Trustees acting in execution of the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, all Monies arising therefrom shall be applied in Manner following; (that is to say), One equal Third Part thereof shall be paid over by them to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, towards Satisfaction and Discharge of the said Sum of Twelve thousand Pounds and the Interest thereof, and the remaining Two Thirds of such Monies shall be applied in paying the Expences of collecting the said Tolls, and in carrying into Execution the several Powers and Provisions of the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, and in paying the Principal and Interest of all Sums borrowed under the Powers and Provisions of the said Act; and during such Time as the said Tolls shall be collected by the said Trustees of the *Dunchurch* and *Stonebridge* Trust, the Monies arising therefrom shall be applied in Manner following; (that is to say), in the first Place in paying the Expences of collecting the said Tolls, and in the next Place in paying to the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty the said Principal Sum of Twelve thousand Pounds to be so expended as aforesaid, and the Interest thereof.

XVII. Pro.

XVII. Provided always, and it is hereby further enacted, That when and so soon as the said Sum of Twelve thousand Pounds, together with the Interest thereon, shall be fully paid off and discharged, the said several Tolls hereinbefore authorized and directed to be taken in the said new Line of Road as aforesaid shall cease.

Tolls to cease when Debt is discharged.

XVIII. And be it further enacted, That all the said Tolls lastly hereby authorized to be taken, collected, and received, shall and may be demanded, taken, collected, and recovered by the said Trustees acting in execution of the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, during such Time as they are hereby authorized to be taken by them, and afterwards by the said Trustees of the *Dunchurch* and *Stonebridge* Trust, by and under all such and the like Powers, Authorities, Provisions, and Remedies as the Tolls by the said last-mentioned Act of the Fifty second Year aforesaid, and by the said Act of the Fifth Year of the Reign of His present Majesty as aforesaid, now are demanded, taken, collected, and recovered; and all and every Act of Parliament, and all Clauses, Exemptions, Penalties, Forfeitures, and Provisions relating to the said Tolls by the said last-mentioned Act of the Fifty second Year aforesaid, and by the said Act of the Fifth Year of the Reign of His present Majesty aforesaid, authorized to be taken, shall be in as full Force, Operation, and Effect, as far as the same severally apply, with respect to the said Tolls hereby authorized to be taken in lieu thereof, as if the same were specially re-enacted in this Act with reference to the said Tolls hereby authorized to be taken, save and except that the said Trustees respectively shall not have any such Power of reducing the said Tolls hereby authorized to be taken, as by the said last-mentioned Act of the Fifty second Year aforesaid is given to the Trustees acting in execution of that Act, of lessening the Tolls thereby authorized to be taken.

Coventry Tolls to be collected under same Powers as the present Tolls.

XIX. And be it further enacted, That in case the said Trustees acting in execution of the said last-mentioned Act of the Fifty second Year aforesaid shall, during such Time as the said Tolls lastly hereby authorized to be taken are hereby authorized to be taken by them, or the said Trustees of the *Dunchurch* and *Stonebridge* Trust, during such Time as the said Tolls are hereby authorized to be taken by them, shall neglect or refuse to levy and collect the same, or shall make any Default in Payment of the Sums hereinbefore directed to be paid by them to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, or the Interest thereof, then and in any or either of such Cases it shall be lawful for the said Commissioners to enter upon and take Possession of the Toll Gates, Bars, and Toll Houses at which the said Tolls by this Act lastly authorized to be taken shall be collected, and to collect, demand, and receive the said Tolls, and to exercise all the Powers and Authorities by this Act, either directly or by reference to any other Act or Acts of Parliament, given to the said Trustees, as fully and effectually as if the same were here expressly repeated and re-enacted with reference to the said Commissioners.

If Trustees of 52 G. 3. c. 57. neglect taking Tolls, Commissioners to collect the same.

XX. And be it further enacted, That in case the said Act of the Fifth Year aforesaid shall expire, and shall not be renewed,
7 & 8 GEO. IV. Q whereby

Provision in case 5 G. 4. c. 43. expires

before Monies
are repaid.

whereby the Trusts therein mentioned and specified shall be dissolved before the said Sum of Twelve thousand Pounds and Interest, and any further Sum or Sums to be expended in making the said new Piece of Road from the *Seven Stars* Public House at *Whitley* to the Village of *Allesley* aforesaid, shall be repaid, it shall and may be lawful for the said Commissioners for executing the said recited Act of the Fourth Year of the Reign of His present Majesty, and they are hereby authorized and empowered to take Possession of the Toll Gates or Bars, or Chains and Toll Houses on the Road in the said Act of the Fifth Year aforesaid mentioned, under the Powers and Provisions of the said Act, and also the Toll Gates, Bars, and Chains erected or to be erected under and by virtue of the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, and the said Two additional Toll Gates, with the Side Gates and Toll Houses, by this Act authorized to be erected, and to continue in Possession thereof, and to take, collect, demand, and recover all such Tolls as the said Trustees are by the said Act of the Fifth Year of His present Majesty, and also by this Act, entitled to take, collect, demand, and recover, including the Tolls hereby authorized to be taken in lieu of the Tolls under the said recited Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third; and all the Powers, Authorities, Provisions, Penalties, Forfeitures, and Remedies by the said Act of the Fifth Year of His present Majesty, and by this Act, or by any other Act, shall continue and be in force, and available in Law, as far as the same may be necessary and required for enabling the said Commissioners for executing the said recited Act of the Fourth Year of the Reign of His present Majesty to collect, demand, and recover the said last-mentioned Tolls, until the said Principal Sum of Twelve thousand Pounds and Interest, and the Expences of taking Possession of the said Toll Gates or Bars, or Chains and Toll Houses, and of collecting and receiving the said Tolls, shall be fully paid and discharged: Provided always, that nothing herein contained shall extend or be construed to extend to make liable the said Commissioners to any Charges for the Repairs of the said Road after the Expiration of the said Act, during the Time they shall collect and receive the said Tolls.

Application of
Money paid by
the Dunchurch
and Stonebridge
Trustees, and
by Trustees of
52 G. 3. c. 57.

XXI. And be it further enacted, That the several Sums of Money to be from time to time paid by the Trustees of the *Dunchurch* and *Stonebridge* Trust, and by the Trustees acting in execution of the said Act of the Fifty second Year of the Reign of His late Majesty King *George* the Third, under the Provisions hereinbefore contained, to the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, in Repayment of the Money to be advanced pursuant to the Provisions of this Act, and the Interest thereof, or which shall be collected by the said Commissioners under the Provisions hereinbefore contained, shall be paid by them the said last-mentioned Commissioners into the Exchequer, in Repayment of the said Sum of Twelve thousand Pounds, to the Account of the Consolidated Fund; and that the Receipts of the said last-mentioned Commissioners, or any Three of them, for any Sum or Sums of Money to be so paid to them, shall be sufficient

silent Discharges to the Trustees paying the same, and shall protect them from being bound to see to the Application thereof, or from being answerable for the Misapplication or Nonapplication thereof.

XXII. And be it further enacted, That when and so soon as the said new Piece of Road from the *Seven Stars* Public House to *Hertford Street* aforesaid shall be completed and open to the Public, such Part thereof as shall be situated within the Limits prescribed by an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the better paving, cleansing, lighting, and watching the City of Coventry and the Suburbs thereof, and removing and preventing Nuisances and Annoyances therein, and for regulating the public Wells and Pumps within the said City and Suburbs*, shall be from thenceforth repaired and maintained by the Trustees acting in the Execution of that Act.

XXIII. And be it further enacted, That when and so soon as the said new Piece of Road from the *Seven Stars* Public House to *Allesley* aforesaid shall be completed and open to the Public, the said Trustees of the *Dunehurch* and *Stonebridge* Trust shall be relieved and discharged from repairing and maintaining the present Turnpike Road from *Sponend* to *Allesley*, and also the present Turnpike Road from the *Seven Stars*, by *Whitley Bridge*, to *Coventry*, and the same shall thenceforth be and be deemed common Highways, and be maintained and repaired as such.

XXIV. And Whereas the Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty have made a new Piece of Road from the Toll Gate at *Conway Bridge* in the County of *Carnarvon*, extending through the Town of *Conway*, by *Penman Back*, to *Pendryffen* in the same County; Be it therefore enacted, That the said new Piece of Road shall be made over by the said last-mentioned Commissioners to and vested in the Trustees acting in the Execution of an Act passed in the Fiftieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of several Acts of His present Majesty, for repairing certain Roads in the Counties of Carnarvon and Denbigh, and for more effectually repairing, improving, and keeping in repair certain other Roads in the County of Carnarvon*: and shall from thenceforth be maintained, repaired, and supported by such Trustees in the Manner and under the same Powers, Authorities, and Provisions as the old Road or Roads, in lieu of which such new Piece of Road has been made, were previously repaired, maintained, and supported; and when and so soon as the said new Piece of Road shall be opened to the Public, such last-mentioned Trustees shall be relieved and discharged from maintaining, repairing, and supporting the old Road or Roads in lieu or stead of which such new Piece of Road has been made, and such new Road shall thenceforth be deemed a common Highway.

XXV. And be it further enacted, That it shall and may be lawful for the said Trustees of the said Act of the Fiftieth Year of the Reign of His said late Majesty, after the said new Piece of Road shall be made over, under the Authority of this Act, to erect

So much of the new Road as is within the Limit of 30 G. 3. c. 77. to be repaired by the Trustees of that Act.

Dunehurch and *Stonebridge* Trust relieved from Repairs of *Sponend* Road when new Piece of Road completed.

New Road from *Conway Bridge* to be made over to Trustees of 50 G. 3. c. 52.

Toll Gate to be erected thereon.

erect and set up any Toll Gate or Gates, Bar or Bars, and Toll Houses, on or by the Side of the said new Piece of Road, as shall seem to them to be necessary or convenient for the Collection of Tolls; and the said Trustees shall and they are hereby authorized and empowered to take, collect, receive, demand, and recover, at the Toll Gate or Gates or Bar or Bars so newly erected, such and the same Tolls as they were before authorized to take and collect by the Powers and Authorities of the said Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, or by such other Act or Acts under which such Trustees shall then be acting, on the Road or Roads in lieu of which such new Piece of Road has been made.

Application of
Toll on Bangor
Road.

59 G. 3. c. 30.

‘ XXVI. And Whereas the Tolls now taken and collected at the Toll Gate at the Northern Extremity of the City of *Bangor* produce a large annual Sum; and as the Road from *Bangor* to *Conway* is of great Public Importance;’ Be it further enacted, That the said Trustees acting in execution of the said recited Act of the Fiftieth Year of the Reign of His said late Majesty shall and they are hereby authorized and required, within the Space of Six Months next after the passing of this Act, to apply and dispose of the whole of the Tolls to be taken, collected, and received by them at the Toll Gate at *Bangor* aforesaid, in Manner following; (that is to say,) first in paying Interest on such Sum or Sums of Money as hath been or shall be raised by the said last-mentioned Trustees, and applied by them in altering, repairing, and improving the Road between *Bangor* and *Conway*, or on so much of such Sum or Sums of Money as shall from time to time remain due and unpaid; secondly, in paying to the Commissioners appointed in and by an Act passed in the Fifty ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for vesting in Commissioners the Line of Road from Shrewsbury in the County of Salop to Bangor Ferry in the County of Carnarvon; and for discharging the Trustees under several Acts of the Seventeenth, Twenty eighth, Thirty sixth, Forty first, Forty second, Forty seventh, and Fiftieth Years of His present Majesty, from the future Repair and Maintenance thereof; and for altering and repealing so much of the said Acts as affects the said Line of Road, the Sum of Fifty Pounds per Annum*, by the said Act directed to be paid to them towards the Repairs and Support of the Road between *Llandegai* and the Junction of the new Road from *Bangor Ferry* to *Bangor* with the Road from *Carnarvon* to *Bangor*; thirdly, in defraying the Expences of collecting the said Tolls; fourthly, in paying One Third Part of the Salaries of the Officers of the said Trustees; and the Residue of such Tolls to be appropriated and applied in repairing and maintaining the said Road from *Conway Bridge* to *Llandegai*, and in discharge, from time to time, of such Sum or Sums of Money as hath been or shall be raised by the said last-mentioned Trustees, and applied by them in altering, repairing, and improving the Road between *Bangor* and *Conway* as aforesaid.

Trustees not to
borrow Money.

XXVII. Provided also, and it is hereby further enacted, That the said Trustees acting in the Execution of the said Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, shall not be authorized or empowered to borrow or take

take up at Interest, on the Credit of the Tolls authorized to be taken or collected by them on the Line of Road between *Bangor* and *Conway* as aforesaid, any Sum or Sums of Money to be applied in the Alteration, Repairs, or Improvements of such Part of the said Road as is situated between *Bangor* and *Pwllheli*, or between *Conway* and *Llanwryst*.

XXVIII. And Whereas by the said recited Act of the Fourth Year of the Reign of His present Majesty the Commissioners thereby appointed were authorized to apply the Sum of Ten thousand Pounds in making and completing a new Cut or Piece of Road from the *Peahen Inn* in the Town of *St. Albans* to the *Pond Yards*; and it was by the said Act further enacted, that the said new Cut or Piece of Road should, for the Period of Two Years after the same should be completed and opened to the Public, be repaired, maintained, and supported by and under the Care and Superintendence of the Commissioners for executing that Act, and that at the Expiration of the said Period of Two Years the same should be made over to and from thenceforth should be vested in the Trustees of the *St. Albans Trust*: And Whereas by the said recited Act of the Seventh Year of the Reign of His present Majesty King *George* the Fourth, by which the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty were authorized to apply Fourteen thousand Pounds in making and completing a new Cut or Piece of Road, leaving the present Road from *London* to *Holyhead* in the Town of *Barnet*, and falling into the same Road again at *South Mims*, as hereinbefore is recited, it was enacted, that every new Piece of Road which should be made under the Provisions thereinbefore contained should be opened to the Public as soon as the same should be completed, and should for the Period of Two Years after the same should have been completed and opened to the Public be repaired, maintained, and supported by and under the Care and Superintendence of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, and after the Expiration of the said Period of Two Years every such new Piece of Road should be deemed and taken to be, and should become to all Intents and Purposes a Part of that Road to which the said old Road in lieu of which such new Piece of Road should have been made did belong before the making of such new Piece of Road, and should be vested in the Trustees or Commissioners in whom such old Road should have been vested: And Whereas it is advisable, in consequence of the Want of strong Materials, and of the Difficulty of rendering these Roads as perfect as they ought to be for the great Traffic that passes over them, that the said new Piece of Road from the *Peahen Inn*, *Saint Albans*, to the *Pond Yards*, and the said new Piece of Road from *Barnet* to *South Mims*, instead of being maintained and repaired for the Period of Two Years only after the Completion and opening thereof, by and under the Care and Superintendence of the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, should be repaired and maintained by the

Repeal of so much of 4 G. 4. c. 74. and 7 G. 4. c. 76. as requires new Piece of Road at St. Albans, and new Piece of Road from Barnet to South Mims, to be given up by Commissioners at the End of Two Years.

‘ said Commissioners, and under their Care and Superintendence, until they shall think proper to give up the same to the said Trustees of the *Saint Albans Trust*;’ Be it therefore enacted, That so much and such Parts of the said recited Acts of the Fourth and Seventh Years of the Reign of His present Majesty respectively, as require the said Two new Pieces of Road to be respectively made over to the Trustees of the *St. Albans Trust* at the Expiration of Two Years after the same shall have been respectively completed and opened to the Public, and to be from thenceforth maintained and repaired by them, shall be and the same are hereby repealed, and that it shall not be necessary for the said Commissioners to give up the said Two new Pieces of Road to the said Trustees of the *Saint Albans Trust* until they the said Commissioners shall in their full Discretion think proper so to do; any thing in the said last-mentioned Acts to the contrary thereof in anywise notwithstanding; but the said new Pieces of Road shall be respectively repaired and maintained by and under the Care and Superintendence of the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, until such Time or Times respectively as the said Commissioners shall in their full Discretion think proper to make over the same respectively to the said Trustees of the *Saint Albans Road*; and from and after the Time or Times when the same shall be so made over by the said Commissioners, and not before, (which making over shall be effected by any Resolution or Resolutions for that Purpose passed at any Meeting of the said Commissioners, specifying the Day on which the said Roads respectively shall be so made over, and of which Resolution or respective Resolutions, Notice in Writing shall be given to the said Trustees of the *Saint Albans Trust*, or their Clerk or Treasurer, at least Fourteen Days before the Day or Days therein respectively named for making over the said Roads,) the said new Pieces of Road respectively shall become Parts of the Roads to which the old Roads in lieu of which such new Pieces of Road shall have been made did belong before the making of such new Pieces of Road respectively, and shall be vested in the said Trustees of the *Saint Albans Trust*, and shall be maintained and repaired by them, and shall be subject to all such Trusts, and to all such Acts of Parliament, and to all such Provisions contained in any Act or Acts of Parliament, as such old Roads respectively shall be subject to at the Time of such making over.

So long as the new Pieces of Road are repaired by the Commissioners, 400*l.* per Annum for the *Saint Albans*, and 600*l.* for the *Barnet* new Road, to be paid to them out of the Tolls.

XXIX. And be it further enacted, That during such Time as the said new Piece of Road, respectively, from the *Peaken Inn* at *Saint Albans* to the *Pond Yards*, and from *Barnet* to *South Mims*, shall be maintained and repaired by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, the said Trustees of the *Saint Albans Trust* shall, with and out of the Tolls to be collected by them in respect of the said new Pieces of Road respectively, pay to the said Commissioners the Sums following for the Repair and Maintenance of the said new Pieces of Road respectively; (that is to say), from and out of the Tolls collected on or in respect of the said new Piece of Road from the *Peaken Inn*

to the *Pond Yards*, so long as the same shall be maintained and repaired by the said Commissioners, the annual Sum of Four hundred Pounds, and from and out of the Tolls collected on or in respect of the said new Piece of Road from *Barnet* to *South Mims*, so long as the same shall be maintained and repaired by the said Commissioners, the annual Sum of Six hundred Pounds; and the said Sums shall be respectively paid by Four equal quarterly Payments on the Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September*, and Twenty fifth Day of *December* in each Year; and the first Payment of the said annual Sum of Four hundred Pounds shall be made on such of the said quarterly Days as shall first happen after the passing of this Act; and the first Payment of the said annual Sum of Six hundred Pounds shall be made on such of the said quarterly Days of Payment as shall happen after the said new Piece of Road from *Barnet* to *South Mims* shall be opened to the Public; and in Case any Default shall be made by the said Trustees in Payment of the said annual Sums, or either of them, or of any Part thereof respectively, then and in every such Case it shall be lawful for the said Commissioners to seize and take Possession of the Toll Houses and Gates at which the Tolls payable on or in respect of the said new Pieces of Road respectively, or such One of the said new Pieces of Road in respect of which such Default shall for the Time being have taken place, shall be collected, and to collect, demand, and receive the Tolls which the said Trustees might there have collected, demanded, and received, and with the same Powers and Authorities in every respect, and to continue in such Possession and Receipt until all Arrears due to them, and all Expences occasioned by such Default of the said Trustees, shall have been fully paid and satisfied.

XXX. And be it further enacted, That in case the Sums which by the said recited Acts of the Fourth and Sixth Years of the Reign of his present Majesty have been made applicable to the making and completing of the said new Piece of Road from the *Peaken Inn* at *Saint Albans* to the *Pond Yards* shall be found insufficient for the Purpose, the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of his present Majesty shall certify the Amount of such Deficiency to the Trustees of the *Saint Albans* Trust, and the said Trustees shall, previously to the Repayment to the Commissioners for the Issue of Exchequer Bills of the Sum of Ten thousand Pounds by the said recited Act of the Sixth Year of his present Majesty directed to be paid to them, and of the subsequent Payments by that Act directed to be made, pay the Amount of such Deficiency, provided the same shall not exceed the Sum of One thousand Pounds, out of the Tolls already collected or hereafter to be collected, on the said new Piece of Road; any Act of Parliament to the contrary notwithstanding.

XXXI. And be it further enacted, That in case the Sum which by the said Act of the Seventh Year of the Reign of His present Majesty is made applicable to the making and completing of the said new Piece of Road from *Barnet* to *South Mims*, shall be found insufficient for the Purpose, the said Commissioners acting in execution of the said recited Act of the Fourth Year of the

If the Sums applicable to new Piece of Road at *St. Albans* are insufficient, the Deficiency, to the Extent of 1000*l.*, to be paid out of the Tolls.

If the Sum applicable to making the new Piece of Road from *Barnet* to *South Mims* is insufficient, the

the Extent of
3000*l.* to be
paid out of the
Tolls.

If the Sum ap-
plicable to
making the
new Piece of
Road from
Camphill to
Moxley is in-
sufficient, the
Deficiency, to
the Extent of
1500*l.*, to be
paid out of the
Tolls.

6 G. 3. c. 100.
§ 44.

† *Sic.*

Reign of His present Majesty shall in like Manner certify the Amount of the Deficiency to the said Trustees of the *Saint Albans* Trust, and the said Trustees shall pay the Amount of such Deficiency, provided the same shall not exceed the Sum of Three thousand Pounds, out of the Tolls to be collected on the said new Piece of Road; any thing in the said recited Act of the Seventh Year of the Reign of His present Majesty, or any other Act of Parliament, to the contrary notwithstanding.

XXXII. And be it further enacted, That in case the Sum which by the said recited Act of the Sixth Year of the Reign of His present Majesty is made applicable to the making and completing of the new Piece of Road by that Act directed to be made from *Camphill Lane* in the Town of *Wednesbury* to the Canal Bridge at *Moxley*, in the *Bilstone* Trust, shall be found insufficient for the Purpose, the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall in like Manner certify the Amount of the Deficiency to the Trustees of the said *Bilstone* Trust; and the said Trustees shall pay the Amount of such Deficiency, provided the same shall not exceed the Sum of One thousand five hundred Pounds, out of the Tolls to be collected on the said new Piece of Road; any thing in the said recited Act of the Sixth Year of the Reign of His present Majesty, or any other Act, to the contrary notwithstanding.

XXXIII. And Whereas by the said recited Act of the Sixth Year of the Reign of His present Majesty it was enacted, That from and after the completing and opening to the Public of the new Cut or Piece of Road thereinbefore described, commencing in the Town of *Wednesbury*, it should and might be lawful for the said Trustees of the *Bilstone* Trust, and they were thereby authorized, if they should think proper so to do, to remove the Toll Gate or Bar and Toll House then and now standing at *Cock Heath*, or to sell and dispose of the same, and to erect and build a new Gate or Bar and Toll House at the Junction of the new Road and old Road near the Canal Bridge at *Moxley* and the Town of *Bilston* †: And Whereas the Place directed and appointed by the said recited Act will not be the most fit and eligible Situation for the Erection of the said new Gate or Bar and Toll House: And Whereas the said new Cut or Piece of Road from *Wednesbury* aforesaid to the old Road near the Canal Bridge at *Moxley* aforesaid, of the Length of Two thousand three hundred and seventy six Yards or thereabouts, has been lately made and completed, whereby several Parts of the old Road, as hereinafter particularly mentioned and described, are become useless to the Public: And Whereas it will be necessary for the Accommodation and Convenience of the Public, and of the Owners and Occupiers of Lands and Buildings adjoining or lying near to the said old Road, that a cross Road from the old to the new Road, as hereinafter described, should be opened and made, and that a certain Lane called *Potter's Lane*, leading from the new to the old Road, should be widened, as hereinafter mentioned; Be it therefore enacted, That such Part of the above recited Clause as relates to the Erection of a Gate or Bar and Toll House at the Junction of the

the new Road and old Road near the Canal Bridge at *Moxley* aforesaid, be and the same is hereby repealed; and that it shall and may be lawful to and for the said Trustees of the *Bilston* Trust to erect and build a new Gate or Bar and Toll House on any Part of the said new Line of Road, or on the Lands adjoining the same, as shall be found by the said Trustees to be the most fit and eligible for that Purpose.

A Gate may be erected on any Part of the *Bilston* Road.

XXXIV. And be it enacted, That the said Trustees of the *Bilston* Trust shall and may close, stop up, and discontinue all that Part of the said old Road which lies between the Junction of the said new and old Road near *Moxley Bridge*, and a Cottage or Dwelling House of *Thomas Lowe*, in the Occupation of *William Spittle*, being of the Length of One hundred and fifty Yards or thereabouts; and also shall and may close, stop up, and discontinue all that other Part of the said old Road, lying between the East Side of *Bull Lane* (which communicates with the said old and new Road) and a Dwelling House in the Occupation of *William Leadbeater*, situate near the present Turnpike Gate at *Cock Heath*, being of the Length of Four hundred Yards or thereabouts; and also shall and may close, stop up, and discontinue all that other Part of the said old Road that lies between the intended cross Road, hereinafter mentioned and described, and the West Side of *Potter's Lane* aforesaid, being of the Length of Four hundred and fifty Yards or thereabouts; and that the said Trustees shall and may sell and dispose of the said Three several Plots or Parcels of the said old Road so to be stopped up and discontinued, or exchange the same or any of them, or any Part thereof, for the Lands which have been taken to make the said new Line of Road, or for any Part of such last-mentioned Lands; and also that the said Trustees of the *Bilston* Trust shall and may make a cross Road from the South End of the Road at *Cock Heath*, leading from *Darlaston* to the new Turnpike Gate intended to be erected on the new Line of Road, of the Length of Two hundred and sixty four Yards or thereabouts, and of a necessary and convenient Width, not exceeding Thirty Feet, making reasonable Satisfaction and Amends to the several Owners of the Lands over which such cross Road shall be made; and that the said cross Roads shall become and be deemed and taken as a common Highway, and be kept in repair by the Inhabitants of the Parish of *Wednesbury*, in which said Parish the Lands over which the said intended cross Road is to be made do lie; and also that the said Trustees shall and may increase the Width of a certain Lane in the said Parish of *Wednesbury* called *Potter's Lane*, lying between the said old and new Lines of Road, to the Extent of Thirty Feet at the least, which said Lane is of the Length of One hundred and thirty seven Yards or thereabouts, and leads to the upper Part of the Town of *Wednesbury*, and which said Lane shall from henceforth become a Turnpike Road, and be from time to time kept in repair by the Trustees of the said *Bilstone* Trust.

Trustees of *Bilston* Trust may stop up certain Parts of old Road.

XXXV. And Whereas the Bridge across the *Menai Straits* is liable to be damaged by Carts, Waggon, or other Vehicles passing over it with projecting Nails on the Wheels; Be it further enacted, That from and after the First Day of *May* One

Carts, &c. with thousand projecting

Nails on the
Wheels not to
be drawn over
the Menai
Bridge.

thousand eight hundred and twenty eight it shall not be lawful for any Person to drive any Cart, Waggon, or other Vehicle over the said Bridge, the Wheels of which shall have Nails projecting beyond the Surface of the Tires, and that the Gatekeepers on the said Bridge shall not, after the said First Day of *May One* thousand eight hundred and twenty eight, allow any such Cart, Waggon, or other Vehicle to pass over the said Bridge; and that if any Person shall drive any such Cart, Waggon, or other Vehicle over the said Bridge after the said First Day of *May One* thousand eight hundred and twenty eight, he shall forfeit and pay the Sum of Five Pounds, which Sum shall be recoverable in the same Manner as Penalties and Forfeitures under the said recited Act of the Fourth Year of the Reign of His present Majesty are by that Act authorized to be recovered, and shall be applied in the same Manner and to the same Purposes as the Tolls to be collected on the said Bridge.

‘ XXXVI. And Whereas Part of the Land which will be required for making and completing the new Cut or Piece of Road from the *Seven Stars* Public House at *Whitley* to the Village of *Allesley*, hereinbefore mentioned, is called *Lammas Grounds*, over which the Freemen of the City of *Coventry* have a Right of Common from *Old Lammas Day* until *Old Candlemas Day*, and other Part of the said Land is called *Michaelmas Land*, over which the Freemen of the City of *Coventry* have a Right of Common from *Old Michaelmas Day* until *Old Candlemas Day*;’ Be it therefore enacted, That a Conveyance of such *Lammas Ground* or *Michaelmas Land*, under the Powers and Provisions of this Act, by the Person or Persons who shall for the Time being be entitled thereto, subject to such Right of Common, or hereby authorized to convey the same, shall be a good and sufficient Conveyance thereof to the said Commissioners acting under the said recited Act of the Fourth Year of the Reign of His present Majesty, for the Purpose of vesting in them the Fee Simple and Inheritance thereof, for the Purposes of this Act, freed from such Right of Common, as fully and effectually as if every Person having Right of Common thereon respectively had executed such Conveyance; and it shall be lawful for the said Commissioners acting under the said recited Act of the Fourth Year of the Reign of His present Majesty, as aforesaid, to enter into an Agreement with the Churchwarden or Churchwardens for the Time being of the Parish wherein such *Lammas Ground* or *Michaelmas Land* is situate, for the Purpose of ascertaining and settling what Sum of Money shall be paid, as or by way of Compensation for the Rights of Common upon such Lands respectively; and in case the Parties shall not agree to the Amount of such Compensation, the same shall be determined by a Jury, in the same Manner as other Compensations under this Act, and the Sum to be so agreed upon or awarded shall be paid by the said Commissioners to the said Churchwarden or Churchwardens, and shall be by him or them applied for such general and public Purposes within such Parish as a Vestry of such Parish, to be convened by such Churchwarden or Churchwardens for that Purpose, shall direct.

Lammas
Ground to be
conveyed free
from Common
Rights.

XXXVII. And

XXXVII. And be it further enacted, That where the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall have purchased or shall be possessed of any Pieces of Ground not wanted for the Purposes of this Act, it shall and may be lawful for the said Commissioners, or any Five or more of them, to sell and dispose of the same, subject to the same Provisions as are contained in the said recited Act of the Seventh Year of the Reign of His present Majesty with respect to the Sale by the said Commissioners of any Land not wanted for the Purposes of that Act.

Power to the Commissioners of selling Land not wanted.

XXXVIII. And be it further enacted, That the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall order and direct some fit and proper Person or Persons to make a Survey or Surveys of the Roads and Bridges which it shall be deemed most advisable to make and erect on the Line of Road from the *London and Holyhead Mail Coach Road to Liverpool*, through *Lichfield, Newcastle, and Northwich*; and the Person or Persons so appointed shall report upon Oath to the said Commissioners his or their Opinion thereon, and shall furnish to them a Map or Plan, with an Estimate of the Expence of the making and erecting respectively each of such Roads and Bridges; and the said Commissioners shall then consider and determine which of the said Roads and Bridges so surveyed and reported upon and estimated shall be made and erected, and shall cause a List and Description thereof, referring to such Survey, to be published in the *London Gazette*, and such List and Description shall also be sent to the next General Quarter Sessions of the Peace for every and each County through which the said Roads, or any of them, is or are intended to pass, or in which the said Bridges, or any of them, are intended to be erected: Provided always, that if the said Commissioners shall be satisfied with any Survey or Surveys and Estimates already made, of any such Road or Roads, or Bridge or Bridges, it shall and may be lawful to advertise and send Lists and Descriptions of the same in the Manner herein directed; and such Road or Roads, Bridge or Bridges, may be thereupon made and directed pursuant to this Act.

Commissioners of 4 G. 4. c. 74. to cause Surveys to be made of the Line of Road from London to Liverpool.

XXXIX. And be it further enacted, That it shall be lawful for any Surveyor to be appointed for that Purpose by any Order under the Hands of any Three of the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, with or without his Assistant or Assistants, to enter upon any Lands, Grounds, or other Hereditaments over and near to which any Road to be made by the said last-mentioned Commissioners shall be intended to pass, and to survey the same, without being subject or liable to be a Trespasser, or to any Fine, Penalty, or Damage for entering or continuing upon any such Lands, Grounds, or Hereditaments, for the Purposes aforesaid.

Power to Surveyors to enter upon Grounds and stake out Roads.

XL. And be it further enacted, That as soon as the said Commissioners shall have determined which of the said Roads and Bridges so surveyed and estimated shall be made and erected, they shall send to the Clerk of the Trustees or Commissioners within the Limits of whose Trust any such new Road or Bridge shall

When any new Road or Bridge shall be determined on, the Trustees in whose District

it is to be made to appoint a Committee of Five Trustees to act with the Commissioners of 4 G. 4. c. 95.

shall be proposed to be made or erected, a Description of the Road or Roads, and Bridge or Bridges, proposed to be made or erected within such Trust, together with a Requisition to such Clerk to call a Meeting of the said Trustees or Commissioners for the Purposes hereinafter mentioned; and within Fourteen Days after he shall have received such Description and Requisition the said Clerk shall call a Meeting of the Trustees or Commissioners of the said Trust, pursuant to the Provisions of an Act passed in the Fourth Year of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, which Meeting each such Clerk is hereby empowered to call without any Order for that Purpose signed by Two or more of the said Trustees or Commissioners; and the said Trustees or Commissioners shall at such Meeting appoint a Committee of Five of their Number, of which Three shall be a Quorum, for the Purpose of making such Arrangements and Agreements with the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, as shall be necessary for carrying the Provisions of this Act into effect within the Limits of their Trust.

Commissioners to open an Account of each Road and Bridge determined to be made under the Powers of this Act, and Trustees of the District to pay over to them the Amount of the estimated Expence.

XLII. And be it further enacted, That the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty shall direct an Account to be opened in their Books for each Road and Bridge which it shall be determined to erect or make on the said Line of Road from *London to Liverpool*, under the Powers of this Act; and it shall and may be lawful for the Trustees or Commissioners for repairing and maintaining the Road or Roads in lieu of or for the Improvement of which such new Road or Bridge shall be intended to be made, and they are hereby empowered thereupon to pay over and place to such Account of the said Commissioners for executing the said recited Act of the Fourth Year aforesaid, a Sum equal to the estimated Expence of making the said intended Road or Bridge, and such Sum so paid by the said Trustees or Commissioners thereof shall be expended by the said Commissioners for executing the said recited Act of the Fourth Year aforesaid, in making and erecting such intended Road or Bridge.

Power to Trustees to borrow the Amount of the estimated Expence of new Roads and Bridges.

XLII. And, for providing a sufficient Sum of Money for defraying the Expence of making and erecting each new Road and Bridge to be made and erected under the Powers and Provisions of this Act, be it further enacted, That it shall be lawful for the Trustees or Commissioners within whose Trust any such Bridge or Road shall be determined to be made or erected, to borrow upon the Credit of the additional Tolls hereinafter authorized to be taken a Sum of Money equal to the estimated Expence of making or erecting each Road and Bridge to be made or erected within their Trust; and it shall be lawful for the said Trustees or Commissioners to apply for the Loan of the Sums to be so borrowed, either to any private Individuals or Companies willing to advance the same, or to the Commissioners for carrying into execution an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to authorize*

authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on the Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, and several subsequent Acts for extending and amending the Powers for the issuing of Exchequer Bills for Public Works; and it shall be lawful for the last-mentioned Commissioners, if they shall think proper so to do, to lend and advance to such Trustees or Commissioners such Sum or Sums as shall be specified in the Application of the said Trustees or Commissioners; and the said Trustees or Commissioners shall secure to the said Commissioners for issuing Exchequer Bills the Amount of the Sum or Sums to be advanced, with such Interest thereon as shall be agreed upon between the said Trustees or Commissioners and the said Commissioners for issuing Exchequer Bills, by Mortgage of the additional Tolls by this Act authorized to be collected, such Mortgage to be made pursuant to the Provisions of the said lastly-mentioned Acts; and in case any Sum or Sums of Money shall be so borrowed by the said Trustees or Commissioners, of private Individuals or Companies, the Repayment thereof, with such Interest as shall be agreed to be paid for the same, shall be secured by Mortgage of the said Additional Tolls by this Act authorized to be taken, such Mortgages to be made pursuant to the Provisions of the Acts for the general Regulation of Turnpike Roads in England.

XLIII. And be it further enacted, That it shall be lawful for the Trustees or Commissioners within whose Trust any new Road or Bridge shall be made or erected under the Powers and Provisions of this Act, to levy and collect within their Trust, besides the Tolls which by any Act or Acts in force relating to such Trust they are now authorized to levy and collect, any further or additional Tolls, not exceeding in Amount One Half of the Tolls which they are now authorized to levy and collect, and to continue to levy and collect such additional Tolls until the Sum or Sums borrowed for the Purpose of making and erecting each such new Road and Bridge, together with all Interest for the same, shall be fully paid and satisfied.

XLIV. And be it further enacted, That the Trustees and Commissioners within whose Trust any additional Tolls shall be levied and collected as aforesaid, shall keep Accounts of the Income and Produce of such additional Tolls distinct from the Accounts of the other Tolls, and such additional Tolls shall be exclusively applicable to the Payment of the Sums to be borrowed under the Powers and Provisions of this Act, and of the Interest; and the said Trustees and Commissioners shall have the same Powers and Remedies for recovering and compelling Payment of the additional Tolls hereby authorized to be levied, as by any Act or Acts now in force they have for recovering and compelling Payment of the present Tolls; and it shall be lawful for the said Trustees from time to time, or at any Time, to alter, raise, or reduce such additional Tolls, provided only that the same shall not be raised to a greater Amount than Half the Amount of the present Tolls, and that the same shall not be reduced below such an Amount as will leave the annual Produce thereof sufficient to pay the annual Interest for the

Power to collect additional Tolls for making new Roads and Bridges.

Separate Accounts to be kept of additional Tolls, and the same to be only applied in Repayment of Money borrowed for making new Roads, &c.

the Time being payable on the Sum or Sums borrowed under the Provisions of this Act, together with a Sinking Fund of at least Five *per Centum per Annum* on the original Amount of the Sum or Sums so borrowed.

New Roads
and Bridges
to be made by
Contract.

XLV. Provided always, and be it further enacted, That every Road and Bridge, to be made and erected under the Provisions of this Act, shall be made and erected in conformity to the Map or Plan and Survey thereof, approved of in the Manner herein directed; and the said Commissioners are hereby empowered and required to make such Contracts or Agreements with skilful Persons and their Sureties, for the making and erecting of each such Road and Bridge, and to appoint such Person or Persons as they shall think proper, who may from time to time, under such Regulations as the said Commissioners shall direct, draw for the necessary Sums to defray the Expence thereof; and such Payments from time to time shall be placed to the Account of the said respective Roads and Bridges; and every such Road and Bridge shall be made and erected by Contract, and in no other Manner; and a Copy of every such Contract, and the Terms thereof, shall be submitted, by the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, to the Committee, to be appointed as hereinbefore is mentioned, of the Trustees or Commissioners within whose Limits or Districts the Work specified in such Contract is to be performed, which Committee such Trustees and Commissioners are hereby respectively empowered and required to elect and appoint.

New Roads,
&c. at the Ex-
piration of Two
Years to be
made over to
the Trustees of
the former
Road.

XLVI. And be it further enacted, That at the Expiration of Two Years after any Road or Bridge on the said Line of Road from *London to Liverpool* shall be completed by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, and opened to the Public, the same shall be made over by the said last-mentioned Commissioners to and vested in the Trustees or Commissioners of the Road within whose District or Trust such Road or Bridge shall lie and be situate, and shall be from thenceforth repaired, maintained, and supported by such Trustees, in like Manner and under the same Powers, Authorities, and Provisions as the Road or Roads in lieu or for the Improvement of which such new Road or Bridge shall be made or erected; and when and so soon as the said new Road or Bridge shall be completed and opened to the Public as aforesaid, the Trustees of the Road within whose District such new Road or Bridge shall lie or be situate shall be relieved and discharged from maintaining, repairing, and supporting the old Road or Bridge in lieu of which such new Road or Bridge shall have been made; and such new Road, and any Bridge thereon, shall become to all Intents and Purposes Part of the old Roads in lieu or for the Improvement of which the same shall have been made or executed, and subject to the same Trusts, Powers, and Provisions in every respect.

Powers of
4 G. 4. c. 74.
extended to this
Act.

XLVII. And be it further enacted, That all the Powers and Authorities given by the said recited Act of the Fourth Year of the Reign of His present Majesty to the said Commissioners acting in execution thereof, either expressly or by reference to

former Acts, and all the Clauses and Provisions therein mentioned, or such of the said Clauses and Provisions as are in any Manner applicable to the Purposes of this Act, shall be and they are hereby extended in such Manner as that the said Commissioners acting in execution of the said last-mentioned Act shall be enabled to make, as well the Alterations and Improvements hereinbefore authorized to be made on the said Line of Road from *London to Liverpool*, as also the said new Cut or Piece of Road from the *Seven Stars* Public House at *Whitley to Allesley*, and a Communication therefrom to the *Craven Arms Inn*, and shall have all Facilities and Advantages for enabling them to make the same, as fully, amply, and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Clauses, and Provisions were repeated and re-enacted in and by this present Act with reference to the said Alterations, Improvements, new Pieces of Road and Communication, and particularly that the said last-mentioned Commissioners, besides the Powers hereinbefore specially given, of taking the Houses, Gardens, Lawns, Orchards, and Grounds specified in the Schedule to this Act annexed, shall have the same Power of taking and acquiring any Ground or Materials which may be required for the Purpose of making the said Alterations and Improvements, new Piece of Road and Communication, as in and by the said recited Act of the Fifty fifth Year of His late Majesty King *George the Third* is given to the Commissioners acting under that Act, of taking and acquiring any such Ground or Materials as may be necessary for repairing, altering, making, or constructing the Roads in that Act mentioned or referred to.

XLVIII. Provided always, and be it further enacted, That the several Clauses, Powers, and Provisions in the said recited Act of the Seventh Year of the Reign of his present Majesty contained, with respect to the purchasing or otherwise acquiring of and making Satisfaction for Injury or Damage to the Houses, Gardens, Lawns, Orchards, and Grounds by that Act authorized to be purchased, acquired, used, or taken by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, shall equally apply to the purchasing or otherwise acquiring by the said Commissioners, under the Powers of this Act, and to the paying and making Satisfaction for the Houses, Gardens, Lawns, Orchards, Grounds, and Land by this Act authorized to be purchased, acquired, taken or used, in the same Manner, or as nearly so as Circumstances will admit, as they would if the same were so purchased, acquired, taken, or used by the said Commissioners under the Powers and Provisions of the said Act of the Seventh Year aforesaid, for the Purposes in this Act mentioned.

XLIX. And be it further enacted, That it shall be lawful for the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, and they are hereby authorized and empowered to appoint One or more fit and competent Person or Persons to examine the State and Condition of the present Mail Coach Road from *London*, by *Country*, *Lichfield*, and *Newcastle*, to *Liverpool*; and the said Person or Persons so appointed shall from time to time make out and

Powers and Provisions of 7 G. 4. c. 76. as to Purchases, extended to this Act.

General Power to Commissioners to enquire into State of Roads between London and Liverpool.

and present to the said Commissioners Reports on the State of the said Roads between *London* and *Liverpool*, distinguishing the respective Trusts under which the said Roads shall be repaired, maintained, and supported, in which Reports shall be stated the Title or Application by which the Trustees are severally known or designated, the Extent of Road repaired and maintained by them, the Breadth and Form of such Road, the Kind of Materials used in the Repairs thereof, and the Manner of preparing and applying such Materials, the State of the Surface of the Road from Side to Side, the Condition of the Side Drains, Cross Drains, and Field Drains, the Condition of the Hedges or other Fences bordering the Road, and whether such Road is overshadowed by Trees, Hedges, Shrubs, or Banks of Earth, or any other Impediment to the free Access and Operation of the Sun and Air.

Power to
Commissioners
to enquire into
the State of the
Trusts on the
Mail Coach
Roads between
London and
Holyhead, and
between Lon-
don and Liver-
pool.

L. And be it further enacted, That it shall be lawful for the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His present Majesty, to enquire into the State of the several Trusts in which the several Roads forming the Lines of Communication by which His Majesty's Mails travel between *London* and *Holyhead*, and between *London* and *Liverpool*, are comprised, and to ascertain the Amount of the annual Income from Tolls and Expenditure of such several Trusts, and of the Proportions of such Income and Expenditure received and expended in respect of maintaining and repairing the said several Roads forming the said Communication; and also to enquire into the Method in which the said Roads are maintained and repaired; and for the Purposes aforesaid, it shall be lawful for the said Commissioners, or any Three of them, to summons before them any Surveyors, Treasurers, Clerks, or other Officers employed by the said Trustees or Commissioners in respect of the said Roads; and the said Surveyors, Treasurers, Clerks, and other Officers shall, if required, produce all Books of Account, Plans, Maps, Papers, Documents, and Writings in their Possession respectively, and shall allow the said Commissioners, or any or either of them, or any Person or Persons appointed for that Purpose by them or any Three of them, by any Writing under their Hands, to inspect, examine, and take Copies of or Extracts from the same, or any or either of them; and if any such Surveyor, Treasurer, Clerk, or other Officer shall neglect or refuse to attend any Summons of the said Commissioners, or any Three of them, or refuse to give a full and satisfactory Answer to any Question which he shall be by the said Commissioners, or any Three of them, required to answer, or shall refuse or neglect to produce any Book of Account, Plan, Map, Paper, Document, or Writing in his Possession, relating to the Roads as to which he shall be so employed, or shall obstruct the said Commissioners, or any or either of them, or any Person to be appointed as aforesaid, in inspecting, examining, or taking any Copy of or Extract from the same, every Person so offending shall forfeit for such Offence any Sum not exceeding Ten Pounds and not less than Five Pounds, at the Discretion of any Justice or Justices of the Peace before whom Complaint of such Offence shall be made; and the Sum so forfeited shall be paid to the said Commissioners, and applied by them in making the Alterations and Improvements by this Act authorized to be made.

L.I. And

LI. And be it further enacted, That the said Commissioners shall, on or before the Twenty fourth Day of *June* in every Year, report in Writing to His Majesty and to both Houses of Parliament their Proceedings, and the State and Condition and Repair of the Roads, and of all new Works and Improvements carrying on in or upon the said Roads or any of them, forming the aforesaid Line of Communication between *London* and *Liverpool*; and present an Account of the Money advanced to and expended by the said Commissioners on each of the said Roads in the Year ending the Fifth Day of *April* then last past, together with any Observations they may think proper.

Commissioners to report to Parliament the State of the Roads between London and Liverpool.

LII. And be it further enacted, That it shall and may be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, at any Time or Times hereafter, by Writing under his or their Hand or Hands, to nominate and appoint any such Person or Persons, not exceeding Three in the Whole, as they may think proper, to be Commissioners for the Purposes of this Act and of the said recited Acts, in addition to the Commissioners already appointed as aforesaid; and such Commissioner or Commissioners so to be appointed as last mentioned shall be, and he and they is and are hereby invested with the same Powers and Authorities for executing this Act and the said recited Acts, as if he or they had been already appointed for that Purpose as aforesaid.

The Treasury to have Power to appoint Three additional Commissioners for the Purposes of this and the said recited Acts.

LIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

SCHEDULE to which this Act refers.

Description of Premises.	Parishes.	Counties.	Freeholders.	Lessees.	Occupiers.
A Piece of Garden	St. Michael's.	City & County of the City of Coventry.	Marquis of Hertford.	- -	William & Thomas Gilbert.
Do. - -	Do.	Do.	Do.	- -	William Gascoigne.
Do. - -	Do.	Do.	Do.	- -	Richard Worthington.
Do. - -	Do.	Do.	Do.	- -	John Rice.
Do. - -	Do.	Do.	Do.	- -	William Looms & John Edmonds.
Do. - -	Do.	Do.	Do.	- -	William Chittem.
Do. - -	Do.	Do.	Do.	- -	Harry Chetham.
Two Gardens	Do.	Do.	Do.	- -	Thomas Pepper.
A Garden	Do.	Do.	Do.	- -	Samuel Nason.
Do. - -	Do.	Do.	Do.	- -	John Smith.
Do. - -	Do.	Do.	Do.	- -	Joseph Nicholls.
Do. - -	Do.	Do.	Do.	- -	William Read.
Do. - -	Do.	Do.	Do.	- -	James Troughton, senior.
Do. - -	Do.	Do.	Do.	- -	William Stephenson.
Do. - -	Do.	Do.	Do.	- -	Thomas Marsh.
Do. - -	Do.	Do.	Do.	- -	Harry Chetham.
Do. - -	Do.	Do.	Do.	- -	Thomas Freeman.
Do. - -	Do.	Do.	Do.	- -	Mrs. Newland.
Three Gardens	Do.	Do.	Do.	- -	Samuel Pratt.
Garden and Field	Do.	Do.	Do.	- -	John Freer.

Description of Premises.	Parishes.	Counties.	Freeholders.	Lessees.	Occupiers.
A Garden - -	St. Michaels	City & County of the City of Coventry.	Marquis of Hertford.	- -	John Crosby. Jessy Gutteridge. Charles Judd.
Part of a Garden -	Do.	Do.	Samuel Johnson, Elizabeth Newsome. Abraham Herbert, and William Gilbert.	Joseph Coleman.	Joseph Coleman and sundry weekly Tenants.
Do. - -	Do.	Do.	Mrs. Whiston	- -	Sundry weekly Tenants.
Do. - -	Do.	Do.	Mr. Richard Marriott.	- -	John Freer.
Do. - -	Do.	Do.	Mr. Moore	- -	Mrs. Oldfield and other weekly Tenants.
Do. - -	Do.	Do.	Messrs. Gibbs and Parker.	- -	Sundry weekly Tenants.
Part of a Garden and Wall.	Do.	Do.	Mr. Joseph Kirkland.	- -	Mr. Jos. Kirkland.
Do. - -	Do.	Do.	Mr. John Wilson	- -	Mr. Sergeant.
Do. - -	Do.	Do.	P. G. R. Jarvis, Esq.	- -	James Troughton, senior.
Do. - -	Do.	Do.	Do.	- -	John Southam Evans.
Do. - -	Do.	Do.	Mr. Earp	- -	Sundry weekly Tenants.
Do. - -	Do.	Do.	Thomas Buswell	- -	Thomas Buswell.
Do. - -	Do.	Do.	Corporation of Coventry.	Thomas Hine	Thomas Hine.
Do. - -	Do.	Do.	Do.	John Southam Evans.	John Southam Evans.
Do. - -	Do.	Do.	Trustees of Trinity Church Estate.	Do. -	Do.
Do. - -	Do.	Do.	Do.	Mr. Caldecott	Sundry weekly Tenants.
Three Stables -	Do.	Do.	Do.	Mr. Reives' Executors.	Thomas Carter.
Several Houses -	Do.	Do.	Do	Do.	Sundry weekly Tenants.
A Garden - -	Do.	Do.	William Bird, Esq.	Mr. John Carter.	Dr. Mellor.
Do. - -	Do.	Do.	Corporation of Coventry.	- -	Executors of Mr. Goodall.
Do. - -	Do.	Do.	Do.	- -	John Moore.
Do. - -	Do.	Do.	Mrs. Cropper & Miss Hodgetts.	- -	Josiah Booth.
Do. - -	Do.	Do.	— Barnes, Esq.	- -	Mrs. Wright.
A Stable and Coach House.	Do.	Do.	George Lant, Esq.	- -	George Lant, Esq.
A Dwelling House	Do.	Do.	Mr. Piggot	- -	Mr. Newsome.
Several Tenements and Garden.	Do.	Do.	Mr. Worthington.	- -	Sundry weekly Tenants.
Part of a Garden and Wall.	Do.	Do.	Mr. Pearman	- -	Mr. Pearman.
Do. - -	Do.	Do.	David Shakespeare Waters.	- -	David Shakespeare Waters.
Three Tenements and Yard,	Do.	Do.	Mr. Caldecott	- -	Several weekly Tenants.

Description of Premises.	Parishes.	Counties.	Freeholders.	Lessee.	Occupiers.
Part of a Garden	St. Michael's	City & County of the City of Coventry.	William Little, Esq.	- -	John Woodcock, Esq.
Stable and Yard -	Do.	Do.	John Woodcock, Esq.	- -	Do.
Part of a Building	Do.	Do.	George Stott and John Wyley.	- -	George Stott and John Wyley.
A House - -	Do.	Do.	Mr. Thomas Morris.	Mr. Thomas Johnson.	Mr. Thomas Johnson.
Houses, Garden, and Field -	St. Michael's and St. John Baptist's, or One of them.	Do.	Corporation of Coventry.	Robert Healy Bunney	{ John Barnet. Henry Collins. Edward Cox.
A House - -			Joseph Jordan	- -	— Adams.
A Garden - -	Do.	Do.	P. G. R. Jarvis, Esq.	John Carr	— Steane.
Do. - -	Do.	Do.	Do.	Do.	Edward Cornwell.
Do. - -	Do.	Do.	Do.	Do.	— Wright.
Do. - -	Do.	Do.	Corporation of Coventry.	- -	John Day.
House and Garden	Allesley.	Warwick.	Henry Greswold Lewis, Esq.	- -	Mrs. Hewett, Widow.

C A P. XXXVI.

An Act to continue until the First Day of *January* One thousand eight hundred and twenty eight, and from thence until the End of the then next Session of Parliament, an Act passed in the Sixth Year of the Reign of His present Majesty, respecting deserted Children in *Ireland*.

6 G. 4. c. 102.

[21st June 1827.]

C A P. XXXVII.

An Act to make further Regulations for preventing corrupt Practices at Elections of Members to serve in Parliament, and for diminishing the Expence of such Elections.

[21st June 1827.]

WHEREAS it is expedient to make further Regulations for preventing corrupt Practices at Elections of Members to serve in Parliament, and for diminishing the Expence of such Elections; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, if any Person shall, either during any Election of a Member or Members to serve in Parliament for any County, County of a City, County of a Town, City, Borough, Cinque Port, or other Place, or within Six Calendar Months previous to such Election, or within Fourteen Days after it shall have been completed, be employed at such Election as Counsel, Agent, Attorney, Poll Clerk, Flagman, or in any other Capacity, for the Purposes of such Election, and shall at any Time, either

Persons employed by Candidates at Elections to be disqualified from voting.

before, during, or after such Election, accept or take from any such Candidate or Candidates, or from any Person whatsoever, for or in consideration of or with reference to such Employment, any Sum or Sums of Money, Retaining Fee, Office, Place, or Employment, or any Promise or Security for any Sum or Sums of Money, Retaining Fee, Office, Place or Employment, such Person shall be deemed incapable of voting at such Election, and his Vote if given shall be utterly void and of none Effect.

Cockades and Ribbons not to be given by Candidates.

II. And be it further enacted, That no Person to be hereafter elected to serve in Parliament shall, after the Teste of the Writ of Summons, or after such Place becomes vacant in Time of Parliament, before his Election, by himself or Agent, directly or indirectly give or allow to any Person having a Vote at such Election, or to any Inhabitant of the County, City, Town, Borough, Port, or Place, any Cockade, Ribbon, or other Mark of Distinction.

Penalty on Persons giving or allowing Ribbons or Cockades.

III. And be it further enacted, That any Person so giving or allowing, shall for every such Offence forfeit the Sum of Ten Pounds to such Person as shall sue for the same, to be sued for and recovered in any of His Majesty's Courts of Record, by Action of Debt, Bill, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance, may be allowed.

Act not to extend to Scotland.

IV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called *Scotland*.

Voters exempt from serving as Constables during Elections.

V. And be it further enacted, That no Person having a Right to vote at the Election for any County, County of a City, County of a Town, City, Borough, Cinque Port, or other Place, shall be liable or compelled to serve as a Special Constable at or during any Election for Members to serve in Parliament for such County, County of a City, County of a Town, City, Borough, Cinque Port, or other Place, unless he shall consent so to act; and that he shall not be liable to any Fine, Penalty, or Punishment whatever, for refusing so to act; any Statute, Law, or Usage to the contrary notwithstanding.

C A P. XXXVIII.

An Act for discontinuing certain Presentments by Constables.

[21st June 1827.]

‘ WHEREAS in some Parts of *England* the Petty Constables of the several Parishes have, from a very remote Period, been required to appear at a Petty Session held previously to every General Gaol Delivery and Quarter Session for the County in which such Parishes are situate, and to make and sign before the Justice or Justices of the Peace attending such Petty Session certain Presentments of various indictable and other Offences: And Whereas the said Presentments are attended with considerable Expence and Loss of Time, and have, in consequence of modern legislative Provisions, become useless and improper;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

assembled, and by the Authority of the same, That from and after the passing of this Act, no Petty Constable shall be required at any Petty Session or elsewhere to make, nor shall any High Constable be required at any General Gaol Delivery, Great Session, or General or Quarter Session of the Peace in *England* to deliver any Presentment respecting Popish Recusants, Persons absenting themselves from their Parish Church or any other Place of Religious Worship licensed by Authority, Rogues and Vagabonds, Inmates, Retailers of Brandy, Ingrossers, Forestallors, Regraters, Profane Swearers and Cursers, Servants out of Service, Felonies and Robberies, unlicensed or disorderly Alehouses, False Weights and Measures, Highways and Bridges, Riots, Routs, and unlawful Assemblies, and whether the Poor are well provided for, and the Constables are legally chosen and sworn.

No Constable shall be required to make Presentments respecting the Offences herein mentioned.

C A P. XXXIX.

An Act to repeal such Parts of Two Acts of King *William* and Queen *Mary* and of King *George* the Second, as relate to the settling the Rates of the Carriage of Goods.

[21st June 1827.]

‘ WHEREAS an Act was passed in the Third Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for the better repairing and amending the Highways, and for settling the Rates of Carriage of Goods*, whereby it was amongst other Things enacted, that the Justices of the Peace of every County and other Place within the Realm of *England* or Dominion of *Wales* should have Power and Authority, and were thereby enjoined and required at their then next respective Quarter or General Sessions after *Easter Day* yearly, to assess and rate the Prices of all Land Carriage of Goods whatsoever, to be brought into any Place or Places within their respective Limits and Jurisdictions by any common Waggoner or Carrier, and the Rates and Assessments so made to certify to the several Mayors and other Chief Officers of each respective Market Town within the Limits and Jurisdictions of such Justices of the Peace, to be hung up in some public Place in every such Market Town, to which all Persons might resort for their Information; and that no such common Waggoner or Carrier should take for Carriage of such Goods and Merchandizes above the Rates and Prices so set, upon pain to forfeit for every such Offence the Sum of Five Pounds, to be levied by Distress and Sale of his and their Goods, by Warrant of any Two Justices of the Peace where such Waggoner or Carrier should reside, in manner aforesaid, to the Use of the Party grieved: And Whereas another Act was passed in the Twenty first Year of the Reign of King *George* the Second, intituled *An Act to explain and amend an Act passed in the Fourteenth Year of His Majesty's Reign, intituled 'An Act for the Preservation of the Public Roads in that Part of Great Britain called England;'* and so much of an Act passed in the Third Year of the Reign of King *William* and Queen *Mary*, intituled *'An Act for the better repairing and amending the Highways, and for settling the Rates*

3W.&M. c.12.

21G.2. c.28.

' of the Carriage of Goods,' as relates to the settling the Rates of the Carriage of Goods, whereby, after reciting the hereinbefore recited Act, it was enacted, that if any common Waggoner or Carrier should, after the Tenth Day of June One thousand seven hundred and forty eight, demand and take any greater Price for the bringing of Goods to the City of London, or to any Place within the Bills of Mortality, than was allowed and settled by the Justices of the Peace for the County or Place from whence such Goods were brought for the carrying of Goods from London to the said County or Place, every such Carrier or Waggoner should for every such Offence forfeit and pay the Sum of Five Pounds to the Use of the Party grieved, to be recovered and levied in the Manner by the said recited Act directed, or by Distress and Sale of his Goods, by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of Middlesex or Surry, or City of London, or City and Liberty of Westminster; and the Clerk of the Peace for every County and Place should immediately after Easter Session yearly certify to the Lord Mayor of the City of London, and also to the respective Clerks of the Peace for the Counties of Middlesex and Surry and City and Liberty of Westminster, the Rates and Assessments made for the Carriage of Goods, in pursuance of the said Act, in their respective Counties and Places, which Certificate, or an attested Copy thereof, signed by the Officer to whom the same should be so transmitted, should be taken and deemed sufficient Evidence of the Rates and Price set for the carrying of Goods to any County or Place: And Whereas the Provisions hereinbefore recited are at present inoperative, and inapplicable to the present Times, and it is expedient that the same should be repealed; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the Provisions hereinbefore set forth, and any other Powers or Provisions in the said recited Acts contained, which relate to the settling the Rates of the Carriage of Goods, shall be and the same are hereby severally declared to be repealed.

So much of recited Acts as relates to the settling the Rates for the Carriage of Goods, repealed.

C A P. XL.

An Act to continue, until the Tenth Day of *October* One thousand eight hundred and thirty, an Act relating to Duties of Excise on Crown, Flint, and Phial Glass, and to alter certain Laws of Excise relating to Flint Glass.

[21st June 1827.]

59 G. 3. c. 104.

WHEREAS an Act was passed in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue, until the Fifth Day of July One thousand eight hundred and twenty, certain Laws of Excise with regard to Crown Glass, and Flint and Phial Glass, and to alter certain Law with regard to Flint Glass*, which said Act was continued by an Act passed in the Fifth Year of the Reign of His present

‘ present Majesty until the Tenth Day of *October* One thousand eight hundred and twenty seven : And Whereas it is expedient that the said Act should be further continued as hereinafter mentioned ;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, passed in the Fifty ninth Year aforesaid, shall be and the same is hereby further continued until the Tenth Day of *October* One thousand eight hundred and thirty, save and except so far as the said Act passed in the Fifty ninth Year aforesaid, and also another Act therein mentioned and thereby continued, passed in the Fifty first Year of the Reign of His late Majesty, are repealed or altered by an Act passed in the Sixth Year of the Reign of His present Majesty, for repealing the Excise Duties and Drawbacks on Flint Glass in *Great Britain*, and imposing other Duties and another Drawback in lieu thereof throughout the United Kingdom.

Recited Act
further con-
tinued.

C A P. XLI.

An Act for raising the Sum of Thirteen millions eight hundred thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty seven.
[21st June 1827.]

C A P. XLII.

An Act for granting and applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty seven.
[21st June 1827.]

[For the Service of 1827, there shall be applied 11,600,000*l.* from Consolidated Fund ; 81,754*l.* 1*s.* Surplus of Grants for 1826 ; any Sum of Money paid into the Exchequer before the 5th April 1828 in respect of Exchequer Bills issued for Public Works ; and also the Balance now in the Exchequer, or which before 5th April 1828 may be paid by the Bank of England pursuant to 56 G. 3. c. 97. ; and also 5,936*l.* 3*s.* 7½*d.* remaining in the Exchequer as Out Cash ; and also 354*l.* 0*s.* 8*d.* charged on Consolidated Fund for Services which cannot now be claimed.]

C A P. XLIII.

An Act to consolidate and amend the Laws in force in *Ireland* for Unions and Divisions of Parishes, and for uniting or disappropriating Appropriate Parishes or Parts of Parishes ; and to make further Provision with respect to the erecting Chapels of Ease, and making Perpetual Cures.
[23d June 1827.]

‘ **W**HEREAS several Acts have been passed in the Parliament of *Ireland* for Unions and Divisions of Parishes, and for uniting or disappropriating Appropriate Parishes or Parts of Parishes ; and it is desirable that the Provisions contained in such Acts of Parliament should be consolidated
R 4 ‘ and

Certain Irish
Acts or Parts
of Acts re-
pealed; viz.


2 G. 1. c. 14.
in part.

8 G. 1. c. 12.
in part.

10 G. 1. c. 7.
in part.

7 G. 2. c. 7.
in part.

9 G. 2. c. 12.

7 G. 3. c. 9. 
in part.

11 & 12 G. 3.
c. 16. in part.

13 & 14 G. 3.
c. 27. in part.

‘ and amended;’ Be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the several Acts hereinafter mentioned, or so much of such Acts as is hereinafter specified or referred to, shall be repealed; that is to say, so much and such Part only of an Act passed in the Second Year of the Reign of King George the First, intituled *An Act for real Union and Division of Parishes*, as relates to the real Union and Division of Parishes; and also so much of an Act passed in the Eighth Year of the Reign of the said King, intituled *An Act for the better enabling the Clergy having Cure of Souls to reside upon their respective Benefices, and for the Encouragement of Protestant Schools within this Kingdom of Ireland*, as relates to the endowing of Churches with Glebes in the Case of Unions of Parishes; and also so much of an Act passed in the Tenth Year of the Reign of the said King, intituled *An Act for confirming the several Grants made by Her late Majesty of the First Fruits and Twentieth Parts payable out of Ecclesiastical Benefices in this Kingdom, and also for giving the Archbishops and other Ecclesiastical Persons Four Years Time for the Payment of First Fruits, for incorporating the Trustees and Commissioners of the said First Fruits*, as relates to the Payment of First Fruits by divided Parishes; and also so much of an Act passed in the Seventh Year of the Reign of King George the Second, intituled *An Act for continuing several temporary Statutes, and for other Purposes therein mentioned*, as relates to the separating or uniting Glebes belonging to Parishes; and also the whole of an Act passed in the Ninth Year of the Reign of the said King George the Second, for explaining and amending the said first recited Act of the Second Year of King George the First; and also so much of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Third, for explaining and amending the said first recited Act of the Second Year of King George the First, and for other Purposes, as relates to the Payment of Money for Buildings or Improvements made in Glebes in the Case of real Union and Division of Parishes; and also so much of an Act passed in the Eleventh and Twelfth Years of the Reign of His said late Majesty, intituled ‘ *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels, and those that are already erected, Perpetual Cures, and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same; and also in like Manner for making Appropriate Parishes Perpetual Cures*, as relates to the uniting or disappropriating Appropriate Parishes; and also so much of an Act passed in the Thirteenth and Fourteenth Years of His said late Majesty, intituled *An Act to amend an Act passed in the Eighth Year of His present Majesty intituled, ‘ An Act for erecting Two Chapels of Ease in the Parish of Armagh, and making such Chapels and those that are already in said Parish, Perpetual Cures, and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and for other Purposes*, as relates to the uniting or disappropriating Appropriate Parishes; and also so much of an Act passed

passed in the Twenty third and Twenty fourth Years of King George the Third, intituled *An Act for making Appropriate Parishes belonging to Archbishops and Bishops Perpetual Cures, and the better to enable such Archbishops and Bishops to endow and augment the Endowment of Vicarages and Curacies to them respectively appertaining; and to render more effectual the several Acts now in force to enable the Clergy having Cure of Souls to reside on their respective Benefices, and to build on their respective Glebe Lands,* as relates to the uniting or disappropriating of Appropriate Parishes; and the said several Acts and Parts of Acts as aforesaid are hereby respectively repealed accordingly.

23 & 24 G. 3.
c. 49. in part.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Assent of the major Part of His Majesty's Privy Council in *Ireland* in Council assembled, Six at least consenting, and with the Advice and Approbation of the Archbishop of the Province and the Bishop of the Diocese, certified under their Hands and Archiepiscopal and Episcopal Seals, with the Consent of the respective Patrons, certified under their Hands and Seals, attested by Two or more credible Witnesses subscribing thereunto, to divide old Parishes, or to separate any Parish or Part of a Parish heretofore united, in whatever Manner such Union may have been effected, and to unite Parishes one to another, or any Part of a Parish to another Parish, or Part of a Parish in perpetuity, and to erect such divided or united Parishes or Parts of Parishes into new Parishes, with all Parochial Rights.

Lord Lieutenant, with Assent of the Privy Council, Bishop, Patrons, &c. may divide or unite Parishes.

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with such Advice and Approbation and in such Manner as are hereinbefore mentioned, to divide and separate or to unite the Glebe belonging to any Parishes so divided and separated or united, and to annex such Glebe, or any Part or Proportion thereof, to such divided or united Parish or Parishes or Parts thereof, which shall be erected into new Parishes or united to others; and that all such Divisions and Separations or Unions of Glebes shall be good, firm, and valid in Law; and that such Glebe, or such Part thereof as shall be so annexed, shall be always deemed and taken to be the Glebe or Glebes of such newly-erected or united Parish or Parishes; and that the Incumbents of any such newly-erected or united Parish or Parishes shall hold and enjoy such divided and separated or united Part of such Glebe, annexed to such newly-erected or united Parish, in as full and ample Manner to all Intents and Purposes as if such newly-erected or united Parish had been an old Parish, and as if such Proportion of Glebe had been always held with, and enjoyed as the Glebe belonging to, such newly-erected or united Parish or Parishes, any Law or Usage to the contrary notwithstanding.

Lord Lieutenant, &c. may in like Manner separate or unite Glebes, and annex the same to Parishes.

IV. And be it further enacted, That where One or more Parish or Parishes, or Part of One or more Parish or Parishes, shall be united to another Parish or Parishes, or to a Part of any Parish or Parishes, in pursuance of this Act, and the Incumbent of any of the said united Parishes, or of the Parish or Parishes whereof

Where Parishes, &c. are so united, Incumbent, &c. succeeding shall pay First Part Fruits.

Part only shall be so united to any other Parish or Parishes, shall die, resign, or be removed, then the next Incumbent or Person succeeding in the Place of him so dying, resigning, or being removed, shall be chargeable with and shall accordingly pay the First Fruits of such Parish or Parishes, or Part of Parish or Parishes, so united, as if he were legally collated or instituted and inducted to the same; and to the End that such Incumbent may be charged with such First Fruits, the Archbishops and Bishops of *Ireland* are hereby respectively required, each in his own Diocese, to make and return to the First Fruits Office a Certificate of the Death, Removal, or Resignation of such Incumbent or Incumbents of any such Parish or Parishes, or Part of Parish or Parishes, so united, and the Name of the next Incumbent or Person succeeding in the Place of him so dying, resigning, or being removed as aforesaid, together with the several and particular Denominations of each divided and united Parish or Parishes, within such Time and in such and the same Manner as Certificates are or usually have been made and returned upon the Institution or Collation of Incumbents to Livings or Benefices in *Ireland*.

The Bishop, on Application of any Incumbent of divided or united Parishes, shall enquire the Value and settle the Proportion of First Fruits, &c. ;

V. And in order to prevent any Disputes which might arise upon the apportioning the First Fruits, Crown Rents, Port Corn Rents, Pensions, Procurations, Synodals, and Salaries payable to the Schoolmasters of the Diocesan Schools by the several Incumbents of such divided or united Parishes, be it enacted, That upon the Application of any Incumbent of any such divided or united Parish or Parishes to the Bishop of the Diocese in which such divided or united Parish lies, it shall be lawful for such Bishop, and he is hereby empowered and directed, to enquire into the Value of such Parishes or Parts of Parishes as are separated and divided from the old Parish, and erected into the new Parish, and to settle and adjust the Proportion of First Fruits, Crown Rents, Port Corn Rents, Pensions, Procurations, and Synodals, and the Salaries of the said Schoolmasters, which the Incumbent of such old divided Parish and newly-erected Parish is to pay; which Adjudication, being in Writing, and signed and sealed by the said Bishop, and registered in the Register Book of the said Bishop, shall be the Proportion which the Incumbent of such newly-erected Parish is to pay, and shall be binding and conclusive upon the several Incumbents of such divided and united Parish and Parishes, and their Successors; any Law to the contrary notwithstanding.

and return into the Exchequer a Certificate of such Proportions, by which the Parishes shall be charged in Process.

VI. And be it further enacted, That such Adjudication being made by the Bishop of the Diocese in manner as aforesaid, a Certificate of so much thereof as relates to the Proportion of First Fruits, Crown Rent, and Port Corn Rent, where with the said old divided Parishes and new erected Parishes are to be charged by the said Adjudication, shall be returned by the Bishop of the Diocese under his Episcopal Seal into His Majesty's Court of Exchequer, there to be filed of Record; and such old divided Parishes and newly-erected Parishes shall be charged in all Process to be issued out of the said Court for First Fruits, Crown Rent, and Port Corn Rent, according to the Proportion certified as aforesaid, and not otherwise; any Law or Usage to the contrary notwithstanding.

VII. And

VII. And be it further enacted, That after Presentation and Institution or Collation, and also Induction of any Clerk or Incumbent to any such united Parish, such Clerk or Incumbent, with the Parishioners and Inhabitants of such Parish or Parts of a Parish which shall be then vacant and become Part of such united Parish, shall proceed to the Election and Appointment of Churchwardens and other Parish Officers, as by Law they might have done if the other Parts of such united Parish had become void; which Churchwardens and other Parish Officers shall from time to time be elected and appointed in manner required by Law, as Churchwardens and other Parish Officers are in other Parishes elected and appointed, till the other Parts of such united Parish shall become void; and after such Avoidance the Election and Appointment of such Churchwardens and other Parish Officers of such united Parish shall be in the same Manner, and at the same Time, and by the same Persons, as is required by Law in the other Parishes of the Diocese in which such united or newly-erected Parish lies and is situated.

For Election of Parish Officers in such Parts of the Union as are vacant.

VIII. And be it further enacted, That where any large Parish shall be divided in manner as in this Act is mentioned, and that the Incumbent of any such divided Parish shall be entitled to receive any Sum of Money from his next Successor in any such Parish, in case the same had not been divided, on account of any Purchase of Glebe or Addition to the Glebe, or of any Buildings or Improvements made on the Glebe of such Parish, or any Money paid by him to his Predecessor on such Account, according to the Laws in force for that Purpose, such Incumbent shall have and be entitled to receive from his next Successor in that Part of such divided Parish within which such additional Glebe shall be situate, or on which such Buildings and Improvements shall have been made, the same Sum as he would have been entitled to receive if the said Parish had not been divided, although the Sum so to be received should exceed Two Years Income of that Part of the Parish; and such Incumbent, having paid such Proportion of the said Money, shall be entitled to receive such Proportion of the Money so to be paid from his Successors, according to the Laws in force for that Purpose, in such Manner as he ought in case such Parish had not been divided.

Incumbent of divided Parish shall receive from his Successor a Proportion of Amount of such Improvements, although exceeding Two Years Income.

IX. And be it further enacted, That where any such Union or Unions shall be made by virtue of this Act, and a new Parish erected, and it shall happen that any Incumbent enjoying any Parish or Part of a Parish so united to any other Parish or Part of a Parish constituting the newly-erected Parish shall die or be removed, whereby the Parish or Part of a Parish which such Incumbent so dying or removed held and enjoyed is no longer an old Parish or Part of an old Parish, but is become Part of the united and newly-erected Parish, it shall and may be lawful, from and after the Death or Removal of such Incumbent, to and for the Patron or Patrons of such united and newly-erected Parish, who by Law is or are entitled to present or collate to the First Turn upon the Avoidance of such newly-erected Parish, to present or collate his Clerk to such newly erected Parish by the Name or Description which such newly-erected Parish is distinguished or called by in the Act of Council establishing such Union and

On Death or Removal of Incumbent of any newly-erected Parish, the Patron entitled to the first Avoidance may present to such new Parish.

Clerk so presented may be inducted ;

and may qualify in any Church in the vacant Part, or in the old Parish Church, and enter on the Cure of Souls, &c.

On Death or Removal of the other Incumbents, the Clerk so presented shall be the full Incumbent of the whole new Parish, without further Presentation.

In case of Death, &c. of Clerk so presented, the Patron next in Turn may pre-

erecting such Parish, as if all the Incumbents of such united and newly-erected Parish were then dead or removed, and as if such united and newly-erected Parish were then entirely void ; and upon such Presentation, and Institution thereupon, or Collation, the Clerk so presented and instituted or collated shall be entitled to Induction to the said united and newly-erected Parish, as if all the Incumbents were dead or removed, and may be inducted into the Parish or Part of a Parish which shall be then void, without waiting for the Death or Removal of the other Incumbent or Incumbents, and may perform all Matters and Things for the qualifying or entitling himself, as by Law is required, to the said united Parish, in any Church, if any such there be in that Parish or Part of a Parish then become vacant, and in case there be no Church upon such Parish or Part of a Parish so vacant, then in the old Parish Church of the Parish from whence such Part of a Parish is taken ; and such Clerk so presented and instituted or collated, and also inducted, shall then enter upon the Cure of Souls, and take and receive all such Tithes, Duties, or other Profits, in such vacant Parish or Part of a Parish, in as large and ample a Manner as the old and former Incumbent so dying or removed was by Law entitled to have, take, and receive in such Parish or Part of a Parish before it became void.

X. And be it further enacted, That such Clerk so presented and instituted or collated, and so inducted, in pursuance of this Act, into such united or newly-erected Parish, upon the Death or Removal of the other Incumbent or Incumbents of the other Parishes or Parts of a Parish constituting such Union, and erected into the said new Parish, as they respectively become void, shall and may enter upon the Cure of Souls, and take and receive such Tithes, Duties, and other Profits, as the said former Incumbent or Incumbents so dying or removed was or were by Law entitled to in such Parish or Part of a Parish then become Part of the said united or newly-erected Parish ; and such Clerk so presented and instituted or collated, and inducted, in pursuance of this Act, to such united Parish, and having performed all other Matters and Things which by Law he was required to do and perform, shall, upon the Death or Removal of every such other Incumbent, be full and lawful Incumbent of all the said united and newly-erected Parish, without any new Presentation and Institution, Collation or Induction, to all Intents and Purposes whatsoever, and shall have the same Right, Title, and Interest in and to the said united and newly-erected Parish, and to all Tithes, Duties, Profits, and Perquisites thereunto belonging or appertaining, in as large and ample Manner as he could or might have had if such Clerk had been separately presented and instituted, or collated and inducted, into every of the said Parishes or Parts of Parishes, as they respectively became void, and as the old and former Incumbents, or any of them, were by Law entitled to have and receive the same.

XI. And be it further enacted, That in case of the Death or Removal of such Clerk, instituted or collated and inducted in pursuance of this Act, before the other Parish or Parts of a Parish completing the said united or newly-erected Parish shall become void by the Death or Removal of the Incumbent or Incumbents thereof,

thereof, the Patron or Patrons of such united or newly-erected Parish whose Turn it shall be then to institute and present, or collate and induct, may in like Manner institute and present, or collate and induct, to the said united or newly-erected Parish, and such Clerk so presented and instituted or collated, and also inducted, shall hold and enjoy the said united or newly-erected Parish, or such Parts of it as are then vacant, or which shall thereafter become vacant by the Death or Removal of the other Incumbent or Incumbents, in the same and as large and ample Manner as the former Incumbents presented and instituted, or collated and inducted, by virtue of this Act, did, might, or could have held and enjoyed the same, and in like Manner, so often as any Part of such united and newly-erected Parish shall become void by the Death or Removal of any such Incumbent or Incumbents, and until all the several Parishes or Parts of Parishes so united shall become void, and fallen into the said united and newly-erected Parish, so as to render the said Union complete and perfect: Saving to the other Incumbents of the Parishes or Parts of Parishes so united and made Part of the said newly-erected Parish, until the same shall become void, their several Rights, Titles, and Interests in and to their respective Parishes, or Part or Parts of Parishes, during their respective Incumbrances†, as though no Clerk had been presented and instituted, or collated and inducted, to such united and newly-erected Parish, in pursuance of this Act.

sent, &c., until the Union is complete.

Saving Rights of other existing Incumbents.

† Sic.

XII. And be it further enacted, That in case it shall happen that there shall not be any Church upon any such Parish or Part of a Parish so becoming vacant, then the Person duly authorized to give Induction shall and may deliver a Sod or Turf to such Clerk, in the Name of Seisin and Possession of such united and newly-erected Parish, which is hereby declared to be a good and valid Induction to all Intents and Purposes whatsoever.

When no Church exists Seisin of the Parish may be given by Delivery of a Sod.

XIII. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, with the Assent, Approbation, and Consent of such Persons, and in such Manner as in this Act is hereinbefore required, mentioned, and directed, concerning the uniting or dividing of Parishes or Parts of Parishes, to unite Appropriate Parishes, and to disappropriate Appropriate Parishes or Part of such Parishes, and to unite such Disappropriate Parishes or Part of such Parishes to another Parish, and to erect such divided and united Parishes into new Parishes with all parochial Rights.

Lord Lieutenant, &c. may unite Appropriate Parishes, or Part thereof, into new Parishes.

XIV. Provided always, and be it enacted, That where the Assent of the King's Majesty, His Heirs or Successors, is to be given to the making any Unions or Divisions of Parishes or Parts of Parishes, or of Appropriate Parishes or of Parts of such Parishes, or for establishing Perpetual Curacies and Chapels of Ease within Districts to be respectively formed from contiguous Portions of Two or more adjoining Parishes by virtue of this Act, the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, under his and their Hands and Seals, to such Unions and Divisions, or Establishment of Perpetual Curacies and Chapels of Ease, shall to all Intents and Purposes be as good and valid in Law as if the Consent of His Majesty, His Heirs or Successors, was thereunto signified by

Assent of the King, being Patron, may be signified by the Lord Lieutenant.

Letters

Letters Patent under the Great Seal of *Ireland*; provided always, that such Consent of the Lord Lieutenant, or other Chief Governor or Governors as aforesaid, be enrolled in the Rolls Office of the High Court of Chancery of *Ireland* within Six Calendar Months after the Date thereof; for the Enrolment whereof Three Shillings and Four Pence and no more shall be paid, over and above the Expences usually paid to the Ingrossing Clerk for the same.

Consent of
Dean and
Chapter, or
Archdeacon
and Clergy,
required to
Disappropri-
ations.

XV. And be it further enacted, That any Disappropriation of Appropriate Parishes, in the Manner hereinbefore mentioned, shall not be made in any Diocese, unless with the Consent of the Dean and Chapter, under their Corporate Seal, Two Thirds at least of the Members of such Chapter being present and consenting; or where there is not any Dean and Chapter, with the Consent of the Archdeacon and major Part of the Beneficed Clergy of such Diocese, to be testified in Writing under their respective Hands and Seals.

Archbishop, &c.
with Consent
of Dean and
Chapter, &c.
may unite Ap-
propriate
Parishes, not
exceeding 100l.
a Year.

XVI. And be it further enacted, That when any Parish or Parishes Appropriate belong to and are annexed to any Archbishopric or Bishopric in *Ireland*, it shall and may be lawful for any Archbishop, with the Consent of the Dean and Chapter of the Diocese, and where there is not any Dean and Chapter, then with the Consent of the major Part of the Beneficed Clergy of the Diocese, and also of the Archbishop of the Province and Patron of such Parish, under their Hands and Seals, to unite Two or more of such Appropriate Parishes into One Perpetual Cure, and to unite One or more such Appropriate Parish or Parishes to any One Benefice or Benefices contiguous thereto, provided the entire Value of each of such respective Unions do not exceed One hundred Pounds by the Year.

Persons who
before Union
were obliged
to repair Chan-
cels, shall after
Union contri-
bute rateably,
to be settled by
Consent, or by
Order of Lord
Chancellor.

XVII. And Whereas in the Union of the several Parishes which may hereafter be united by virtue of this Act there may be several Appropriate Rectories, and no Vicarage within the same; and the Rectorial Tithes and other Profits arising within such respective Rectories are to remain, notwithstanding such Union, payable to the Appropriators or Improprators thereof, and who by reason thereof might by Law be obliged to repair the respective Chancels belonging to such Rectories, and to find a sufficient Curate or Curates for the Performance of Divine Service and for the Cure of Souls within the same, before such Union; Be it enacted, That wherever it shall happen in any Union to be made by virtue of this Act, that there shall be an Improprate or Appropriate Rectory within the same, the Rector, Improprator, or Possessor of which was, before the making of such Union, by Law obliged to repair the Chancel belonging to the Parish Church of the said Rectory, such Rector, Improprator, or Possessor respectively, his Heirs, Successors, and Assigns, shall, from and after such Union so made by virtue of this Act, during the Continuance of such Union, be discharged from repairing of such Chancel respectively, and shall, in lieu, and instead of repairing the Chancel of such Rectory, be obliged to contribute a rateable Share or Proportion, according to the Value of the Profits arising out of such Rectories, to and for the Repair of the new Chancel of the said united Parishes; and such rateable Share or Proportion shall be settled and adjusted by
Consent

Consent of all Parties concerned in Interest before such Union be made ; or in case of any Failure of such Consent, then such Share or Proportion shall be ascertained by a Decree or Order of the Court of Chancery in *Ireland*, on proper Application thereto; and if any other Person was obliged to repair the Chancel of any of the other Parish Churches so united before such Union, every such Person and his Successors shall be obliged to pay a rateable Share towards the Repair of the new Chancel.

' XVIII. And Whereas in some Improprate Parishes the Improprators or Possessors of the Tithes of such Parishes are obliged by Law to find a Curate to serve the Cure of the said Parishes ; Be it therefore enacted, That in case such Parishes so Appropriate or Improprate shall be united pursuant to this Act to any other Parish or Parishes, such Improprator or Possessor shall be discharged of and from finding a Curate for such Parishes so united, and shall be only obliged to contribute his Proportion rateably with the other Parishes to which such Improprate or Appropriate Parish shall be united, for the Maintenance and Support of the Curate or Minister of such united Parishes, and which rateable Share or Proportion shall be settled and adjusted in like Manner as is hereinbefore directed with respect to the Repair of Chancels.

Improprators liable to provide Curates shall after Union contribute rateably.

XIX. And be it further enacted, That when Two or more Churches or Parishes shall be united into One in pursuance of this Act, having formerly had distinct Patrons, in such Cases the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and Council as aforesaid, with the Advice and Approbation of the respective Archbishop and Bishop in whose Province and Diocese the said Churches were situate, shall divide the Patronage by Turns among the Patrons, giving to each of them a Right to present oftener and seldomer, according to the true yearly Value of the respective Parish or Parishes whereof they are Patrons, the Consent of each Patron being first had and entered in the Instrument for erecting the said Union ; and such Settlement or Settlements as aforesaid shall be final and binding to all Patrons, whether Ecclesiastical or Lay Patrons, and to all Parties, for ever ; reserving always unto every Archbishop and Bishop, Registrars and Schoolmasters, their respective Dues payable out of every such Parish so united : Provided always, that where the King's Majesty, His Heirs and Successors, is or shall be entitled to the Presentation of any of the said Parish Churches so to be united, he and they shall, from and immediately after such Union, upon the then first Vacancy, have the first Presentation of an Incumbent unto such united Church, and afterwards, upon the then next Vacancy, the other respective Patrons severally, as the Lord Lieutenant or other Chief Governor or Governors and Council aforesaid, with the Advice and Approbation aforesaid, shall direct and appoint, regard being had to the respective Values of the several Parishes so to be united as aforesaid ; and so in course respectively in manner aforesaid.

Lord Lieutenant, &c. shall divide the Patronage by Turns ; the King, where entitled to any Presentation, shall have the first Turn.

XX. And be it further enacted, That no Owner or Proprietor of any Rectory Improprate, having the Patronage of the Vicarage of the Church, shall, by only presenting in his Turn a Clerk to any Union made by virtue of this Act, be judged in Law to disap-

Owner of Rectory Improprate shall not, by presenting to

Union, disappropriate his Rectory by Implication.

Unions of Parishes shall not be made by Bishops without Consent of the Lord Lieutenant in Council.

Unions, &c. shall be enrolled in Chancery within Six Months ; Fee 3s. 4d.

Irish Act, 11 & 12 G. 3. c. 16.

Churches or Chapels may be erected by Archbishops or Bishops in Districts consisting of contiguous Portions of Parishes.

disappropriate his Rectory, unless such Person making such Presentation shall, by express Words contained therein, plainly signify his Design and Intent to make such Disappropriation, and that such Presentation be under the Hand and Seal of the Patron so presenting, attested by Two or more credible Persons ; any former Law or Usage to the contrary notwithstanding.

XXI. And be it further enacted, That from and after the passing of this Act any Archbishop or Bishop of any Diocese in *Ireland* who shall unite any Two or more Benefices or Parishes together, shall within Fourteen Days after making the Order of such Union, report the same, together with the Reasons for making such Union, to the Lord Lieutenant in Council ; and if such Union be not disapproved by the Lord Lieutenant in Council within Six Weeks from the Date of such Order being received at the Council Office in *Dublin Castle*, such Union shall be valid and effectual to all Intents and Purposes whatsoever ; but that all and every Archiepiscopal or Episcopal Union of Benefices or Parishes which shall not be so reported, or which shall be within such Period as aforesaid disapproved by the Lord Lieutenant in Council, shall be null and void, without any Suit, Judgment, or Process of Law.

XXII. And be it further enacted, That all real Unions and Divisions to be made by virtue of this Act shall be enrolled in the Rolls Office of the High Court of Chancery in *Ireland* within Six Calendar Months after the making thereof, for the Enrolment whereof respectively the Fee of Three Shillings and Four Pence and no more shall be paid, over and above the Expence usually paid to the Ingrossing Clerk for the same ; and every Instrument under the Hands of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and Council, testifying such Union or Division, shall contain in it a Clause or Proviso that the same shall be enrolled in Six Calendar Months after the Date thereof, or else to be void and of no effect.

XXIII. And Whereas by the said Act passed in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of His late Majesty King George the Third, intituled *An Act for erecting Parochial Chapels of Ease in Parishes of large Extent, and making such Chapels, and those that are already erected, Perpetual Cures ; and for making a proper Provision for the Maintenance of Perpetual Curates to officiate in the same, and also in like Manner for making Appropriate Parishes Perpetual Cures*, it is enacted, that it shall and may be lawful to and for the several Archbishops and Bishops of *Ireland*, and their Successors, to erect or cause to be erected new Churches or Chapels in convenient Places within such Parishes, as to the said Archbishops and Bishops respectively shall seem proper : And Whereas many Parishes in *Ireland* are not sufficiently large, severally and separately, to support Chapels of Ease ; Be it enacted, That from and after the passing of this Act it shall and may be lawful for the several Archbishops and Bishops of *Ireland*, and their Successors, within their respective Dioceses, to erect or cause to be erected new Churches or Chapels in convenient Places within Districts to be respectively formed from contiguous Portions of Two or more adjoining Parishes, as to the said Archbishops and

and Bishops respectively, and to their Successors, shall seem proper, in manner hereinafter directed.

XXIV. And be it further enacted, That before any such Church or Chapel shall be erected in or for any District, the Bounds for such District shall be ascertained by an Instrument in manner following; that is to say, the Archbishop or Bishop of the Diocese, by Writing under his Hand and Archiepiscopal or Episcopal Seal, shall and may set out and describe the Bounds of such District, and the several Townlands which shall be comprised within any such District respectively; and a Copy of such Instrument shall, within Fourteen Days from the Date thereof, be transmitted to each of the several Incumbents of the Parishes from which such District shall be formed, and also to the Lord Lieutenant in Council; and the Lord Lieutenant in Council shall hear and determine any Objections which may be made by or on behalf of any such Incumbents, and shall confirm or alter the Bounds of the District so set out and described in such Instrument, as the Circumstances of the Case may appear to require, and shall order such Instrument to be altered accordingly: Provided always, that such Instrument so altered by any such Order, or if no Order shall be made thereupon by the Lord Lieutenant in Council within Six Weeks after the Date of the Transmission of the Copy of such Instrument to the Council Office in *Dublin Castle*, then such Instrument, as originally transmitted, shall be entered in the Registry of the Diocese, for which Entry the Sum of Thirteen Shillings and Four Pence, and no more, shall be paid to the Registrar, and shall also be enrolled in the Rolls Office of the Court of Chancery in *Ireland*, for which Enrolment the Sum of Thirteen Shillings and Four Pence, and no more, shall be paid, over and above the Expences usually paid to the Ingrossing Clerk for the same.

Districts shall be ascertained by an Instrument under the Episcopal Seal; subject to Approval by Lord Lieutenant.

XXV. And be it further enacted, That upon and after the Registry and Inrolment of any such Instrument, the District therein set out and described shall be deemed and reputed to be a several and distinct District or Parish for the Purposes of this Act, and shall be called and known by such Name as shall be given thereto by such Instrument; and every Church or Chapel to be erected in such District shall be deemed a Perpetual Cure; and the Curate of every such Church or Chapel respectively, when duly nominated and licensed, and his Successors, shall be and become Bodies Politic and Corporate, and shall be capable of receiving any Endowment from any Archbishop or Bishop respectively, or their Successors, or from the Rectors or Incumbents of such adjoining Parishes or their Successors, or any other Bodies Corporate or Politic, or any other Person or Persons, and to take and receive Augmentations from the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, in such Manner as any Curate of any Improprate or Appropriate Parish, or Chapel of Ease or Perpetual Cure, is by any Laws in force in *Ireland* qualified to take the same; and from and after the Time when any of the said Cures shall be endowed with sufficient Quantity of Glebe, it shall and may be lawful for any such Curate, with the Approbation of the Archbishop or Bishop of the Diocese, to make such Buildings and Improvements on such

Such Districts to be distinct, and the Churches or Chapels to be deemed Perpetual Cures.

Curates thereof shall be capable of receiving Emoluments, &c.

Curate may build on Glebe, and receive his Proportion from Successors.

All Provisions
for building on
Glebes extend-
ed to such
Curates.

Vestries shall
be held, and
Churchwardens
chosen, and
Assessments
made, in such
Districts, as in
the Case of
Chapels of
Ease, &c.

Bishops shall
ascertain the
Rate and Pro-
portion of
Salary to be
paid to Curates
by Incumbents,
and their Turns
of Nomination.

When the
Church is
erected, the
Curate to be
nominated.

Nomination on
Vacancies.

Glebe, and he shall be entitled to receive such Proportion of the Money expended in making or building the same from his next Successor, as any Curate of any Improprate or Appropriate Parish, or Chapel of Ease or Perpetual Cure, is or shall be entitled unto for Buildings on the Glebe of his Curacy; and all other Provisions for encouraging the making Buildings and Improvements on Glebes belonging to the Curates of Improprate or Appropriate Parishes, or Chapels of Ease or Perpetual Cures, shall extend to Curates of Perpetual Cures under this Act respectively, in the same Manner as they now do to the Curates of Improprate or Appropriate Parishes, or Chapels of Ease or Perpetual Cures.

XXVI. And be it further enacted, That from and after the Execution, Registry, and Inrolment of any such Instrument, as before directed, it shall and may be lawful for the Archbishop or Bishop of the Diocese to appoint Vestries to be held for any and every such intended District, as a separate Parish, and Two Churchwardens to be chosen, and Sums of Money to be assessed, in the same Manner and subject to the same Provisions as Vestries are directed to be held, and Churchwardens chosen, and Sums assessed for Chapels of Ease or Perpetual Cures, under the Directions of the said recited Acts of the Eleventh and Twelfth Years of King *George* the Third; and that every such District or new Parish shall be subject to all the same Provisions with regard to Vestries, Elections of Churchwardens, and other Parochial Officers, Church Rates, Assessments, and Applotments, and Salaries for Parish Clerks and Sextons, as other Improprate or Appropriate Curacies, or Chapels of Ease or Perpetual Cures, are now subject by the said Act, or by any other Act or Acts in force in *Ireland*.

XXVII. And be it further enacted, That it shall and may be lawful for the Archbishop or Bishop of the Diocese in which any such District or new Parish shall be formed, and he is hereby required to determine, in and by such Instrument as aforesaid, the Rates and Proportions of Salary which each of the Incumbents of the adjoining Parishes out of which such District shall be formed shall pay to the Curate of such District or Parish, and to regulate the Manner in which each of such Incumbents shall, on Vacancies of the said Curacy, nominate to the said Archbishop or Bishop, or their Successors, a sufficient Curate, and also to appoint which of the Incumbents shall first nominate, and the Order in which the several Incumbents of all such adjoining Parishes shall in their Turn nominate such Curate; and so soon as any such Church or Chapel shall be erected and set apart for Divine Worship, the Rector or Incumbent of One of the said adjoining Parishes, whose Turn it shall be, shall nominate to the said Archbishop or Bishop of the Diocese a sufficient Curate for such Church or Chapel; and such Curate shall be approved of and licensed by such Archbishop or Bishop, in such Manner as other Curates are by Law to be licensed and approved of; and upon every Vacancy of any such Cure, by the Death or Removal of such Curate, or by his Acceptance of any other Cure, or of any Benefice with Cure of Souls, another Curate shall be nominated by the Rector or Incumbent of such of the said adjoining Parishes whose Turn it shall be so to nominate, in Manner aforesaid; and

in

in case the Rector or Incumbent of any such adjoining Parish for the Time being, whose Turn it shall be so to nominate, shall fail or neglect to nominate a Curate for the Space of Two Months next after any such Church or Chapel shall be erected and set apart, or next after any such Vacancy shall happen, such Incumbent shall forfeit and lose his Turn for that Time, and it shall and may be lawful for the Archbishop or Bishop respectively to appoint and license a Curate for the District where such Failure shall happen; and such Archbishop or Bishop shall in all Cases allocate such Salary for every such Curate, so to be nominated and appointed and licensed for any of the said Cures, as such Archbishop or Bishop is enabled to do by the Laws in force, in *Ireland* in other Cases of Perpetual Cures.

If any Incumbent neglect to nominate in his Turn, the Nomination shall lapse to the Bishop.

Allocation of Salary.

XXVIII. And be it further enacted, That if the Rector or Incumbent of any of such adjoining Parishes shall by Deed in Writing, with the Consent of the Archbishop or Bishop of the Diocese, and of the Patron, and the Dean and Chapter of the said Diocese, where there is a Dean and Chapter, or in any Diocese where there is no Dean and Chapter, then by the Consent of the major Part of the Beneficed Clergy at their respective Visitations, testified by their being Parties to and affixing their Hands and Seals to such Writing, endow any such Cure with a competent Portion of Glebe or Tithes for or towards the Maintenance of the Curate, such Rector or Incumbent, and his Successors, shall from thenceforth be discharged from the Payment of the Proportion of the Salary of the Curate so endowed; and such Writing shall be registered in the Registry of the Diocese, and inrolled in the Rolls Office of the Chancery of *Ireland*, for which Inrolment the same Fee as is hereinbefore specified, and no more, shall be paid.

Incumbent endowing Curacy with any Glebe or Tithes, discharged from paying Salary to Curate.

XXIX. And be it further enacted, That every such District or new Parish, to be formed under the Authority of this Act, shall have all Parochial Rights by Law appertaining to any Parish, for the Purposes in this Act mentioned as aforesaid, and for all other Purposes whatsoever, in like Manner to all Intents and Purposes as other Parishes may by Law be entitled unto; and that every such District or new Parish shall be discharged and exempted from all Claims and Charges whatsoever, as Part of any former Parish or Parishes; saving nevertheless to the Rectors or Incumbents of the several adjoining Parishes, and their Successors, all their Rights as Rectors or Incumbents of the respective Portions of such Districts.

Districts under this Act shall have all Parochial Rights.

XXX. Provided always, and be it enacted, That this Act shall not be construed so as to discharge any Rector or Incumbent of any such adjoining Parish, or his Successors, from the Cure of Souls, or any other Parochial Duties within the Portions of their respective Parishes which shall make Part of such intended District, but such Cure of Souls and Duties shall remain in them respectively as before the passing of this Act.

Cure of Souls shall remain in Incumbents of former Parishes.

XXXI. And be it further enacted, That if it shall appear proper to any Archbishop or Bishop in *Ireland*, in the Manner and under the Regulations prescribed in the said Act of the Eleventh and Twelfth Years of His late Majesty *George* the Third, or of this Act, to form any District from a Portion of any Parish, or from

Where Church or Chapel is already erected, the District may be formed, the Bounds as-

certained, and Church made a Perpetual Cure.

any contiguous Portions of Two or more adjoining Parishes, and if in any such Portion of a Parish a Church or Chapel shall have been previously erected for the Accommodation of the Inhabitants of such Parish who may live at a Distance from the Parish Church, it shall and may be lawful for such Archbishop or Bishop to form such District, and to ascertain the Bounds thereof in the Manner required by Law, and to make the Church or Chapel within such District a Perpetual Cure, although such Church or Chapel may have been erected before the Formation of such District, or the Ascertainment of the Bounds thereof; any thing in the said Act of the Eleventh and Twelfth Years of His late Majesty, or of this Act, to the contrary notwithstanding.

C A P. XLIV.

An Act to provide for the Payment of a Salary (in lieu of Fees) to the Judge of the Prerogative Court and Court of Faculties in *Ireland*. [23d June 1827.]

WHEREAS the Offices of Judge or Commissary of His Majesty's Court of Prerogative for Causes Ecclesiastical, and Commissary of His Majesty's Court of Faculties, in and throughout the whole of that Part of the United Kingdom called *Ireland*, are Judicial Offices, and have always hitherto been held and enjoyed by one and the same Person: And Whereas it is expedient that Provision should be made for the Payment of a certain annual Salary to the Judge or Person holding or who shall hold the said Offices jointly, and that such Salary should be in lieu of all Fees and Emoluments whatsoever receivable by such Judge or Person, and that all such Fees should be applied to the Public Use; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the Office of Judge or Commissary of His Majesty's Court of Prerogative for Causes Ecclesiastical, and the Office of Commissary of His Majesty's Court of Faculties, in and throughout that Part of the United Kingdom called *Ireland*, both which Offices are held and enjoyed by the present Judge or Commissary thereof, shall from thenceforth for ever continue to be jointly held and enjoyed by one and the same Person, and shall from time to time for ever be granted and held as one Office, and that the Person holding such Office shall be styled the Judge or Commissary of His Majesty's Court of Prerogative for Causes Ecclesiastical and Court of Faculties in and throughout *Ireland*; and that no Fees or pecuniary Profits whatever, other than and except the Salary permitted by this Act, shall, from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, be received by or shall be payable to or to the Use of the Person holding or who shall hold the said Office in respect of the Execution of the said Office, any Act or Acts of Parliament, or any Law, Usage, or Custom to the contrary in anywise notwithstanding; and that from and after the said Fifth Day of *July* One thousand eight hundred and twenty seven, all

The Offices of Judge of the Prerogative and Faculty Courts in *Ireland* shall be considered and held as one Office.

Fees shall not be received for the Use of the Judge, but shall be applied to the Public Service.

all Fees and pecuniary Profits heretofore payable to the Use of the Holder of the Office or Offices aforesaid, shall be collected and applied to the Public Service in Manner hereinafter mentioned and directed.

II. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, there shall be issued and paid and payable to the Judge or Commissary of His Majesty's Court of Prerogative and Court of Faculties aforesaid for the Time being, out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, after paying and reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the said Consolidated Fund, but with Preference to all other Payments which shall or may be hereafter charged upon or payable out of the said Fund, the annual Sum of Three thousand Pounds; and the said Sum of Money to be issued in pursuance of this Act shall from time to time thenceforth be payable and paid quarterly, free and clear of all Taxes and Deductions whatsoever, on the Tenth Day of *October*, the Fifth Day of *January*, the Fifth Day of *April*, and the Fifth Day of *July*, in every Year, the first Payment thereof to be made on the Tenth Day of *October* One thousand eight hundred and twenty seven.

III. Provided always, and be it further enacted, That whenever any Person holding the Office of Judge or Commissary of His Majesty's Court of Prerogative and Court of Faculties aforesaid shall during the Course of any Quarter resign his said Office, or shall die, then the Person so resigning the said Office, or the Executors or Administrators of such Person so dying (as the Case may be), shall be entitled to such proportionable Part of the said Salary as shall have accrued during such Part of the said Quarter as such Person shall have executed such Office as aforesaid; and every Judge or Commissary of His Majesty's Court of Prerogative and Court of Faculties, to be appointed at any Time after the said Fifth Day of *July* One thousand eight hundred and twenty seven, shall, on the Quarter Day next after his Appointment, be entitled to have and receive, out of the said Consolidated Fund, such Proportion of the said Salary as shall have arisen from the Date of his Appointment.

IV. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty seven, the Judge or Commissary of His Majesty's said Court of Prerogative and Court of Faculties shall not practise or be capable of practising as a Barrister or Advocate in any Court or Place, or in Conveyancing or giving Opinions, or in any other Manner whatsoever as a Barrister or Advocate.

V. And be it further enacted, That the respective Registrars or Deputy Registrars of His Majesty's Court of Prerogative and Court of Faculties in and throughout *Ireland* shall, from and after the said Fifth Day of *July* One thousand eight hundred and twenty seven, receive and collect all the Fees belonging to the said Office of Judge or Commissary of the Court of Prerogative and Court of Faculties respectively, and shall, within Fourteen Days after the Tenth Day of *October*, the Fifth Day of

Salary of 3000*l.* to be paid to the said Judge out of the Consolidated Fund, by quarterly Payments.

A Proportion of the Quarter's Salary to be payable on Resignation or Death, and on new Appointment.

Judge of the said Court shall not practise as a Barrister or Advocate.

Registrars shall deliver quarterly, to the Auditors of Public Accounts, an Account of Fees received, and pay the Amount into

the Exchequer, to be carried to the Consolidated Fund.

January, the Fifth Day of April, and the Fifth Day of July in each and every Year, deliver, into the Office of His Majesty's Commissioners for auditing the Public Accounts in Ireland for the Time being, an Account, signed by such Registrars or Deputy Registrars respectively, of all Fees received by such Registrars or Deputy Registrars respectively by virtue of this Act, for the Quarter ending on such Tenth Day of October, Fifth Day of January, Fifth Day of April, and Fifth Day of July respectively, vouched and verified by an Affidavit at the Foot of such Account by such Registrar or Deputy Registrar, to be sworn before any Master in Chancery, who is hereby authorized and required to administer the Oath for that Purpose; and in case of the Death of any such Registrar or Deputy Registrar respectively, then their Executors or Administrators shall, within Six Calendar Months next after their Deaths respectively, deliver in like Manner to the said Commissioners for auditing the Public Accounts, an Account, signed by such Executors or Administrators respectively, of all Fees received by such Registrars or Deputy Registrars, from the latest Day which he or they shall have so accounted to his or their Death, which Account shall be verified in like Manner by such Executors or Administrators, or some or one such Executor or Administrator; and it shall be lawful for the said Commissioners for auditing the Public Accounts, or the major Part of them, and they are hereby authorized and required to enquire into and to audit and settle, with all convenient Speed, every such Account so delivered in, and to verify, under their Hands, the Balance due thereon; and every such Registrar or Deputy Registrar, or his Executors or Administrators, having Assets, shall, within Six Days after each such Account respectively shall be so audited and certified, pay into the Receipt of His Majesty's Exchequer in Ireland, according to the Course of the said Exchequer, all such Sum and Sums of Money as shall be so certified as the Balance in his or their Hands, which Payment shall thereupon be carried to and made Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Penalty on not accounting for or paying Fees, 20*l.* per Cent. on the Amount.

VI. And be it further enacted, That in case any such Registrar or Deputy Registrar of His Majesty's Court of Prerogative and Court of Faculties in Ireland as aforesaid, or his Executors or Administrators, shall at any Time or Times neglect or make default in delivering in such Account as hereinbefore directed to the said Commissioners for auditing the Public Accounts, within the Periods aforesaid respectively specified for that Purpose, or in paying into the said Exchequer such Balance as aforesaid, within the said Space of Six Days after such auditing, then and in every such Case such Registrar or Deputy Registrar, or such Executors or Administrators, having Assets sufficient to make such Payment, shall pay into the said Exchequer, together with such Balance, Interest for the same at the Rate of Twenty Pounds per Centum from the Expiration of the said Period of Six Days, until such Balance shall be paid in as aforesaid.

Acquittance from the Exchequer shall

VII. And to the End that the Payment of such Balance may be ascertained, be it further enacted, That upon Payment of such Balance an Acquittance or Discharge for the same shall be signed by

by the proper Officer in the Exchequer, which shall be produced and exhibited by the said respective Registrars or Deputy Registrars to the said Commissioners for auditing the Public Accounts within One Calendar Month from the Date thereof, or at the Time of the presenting the ensuing Quarter's Account, whichever shall first happen, or by the Executors or Administrators of any such Registrar or Deputy Registrar within Three Calendar Months from the Date thereof; and the said Commissioners for auditing the Public Accounts are hereby required to demand such Acquittance or Discharge, and to have the same produced to them, before they shall audit and certify any subsequent Account for any such Registrar or Deputy Registrar in Manner hereinbefore directed.

be produced to the Commissioners for auditing the Public Accounts.

C A P. XLV.

An Act to allow, until the Twenty fourth Day of *October* One thousand eight hundred and twenty seven, the Inrolment of certain Articles of Clerkship and Assignments thereof.

[23d June 1827.]

WHEREAS many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them, to serve as Clerks to Attornies or Solicitors, Scriveners, or Notaries Public, in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and the Indentures thereof to be inrolled within the Time in which the same ought to have been done; and many Infants and others may thereby incur certain Disabilities; For preventing thereof, and relieving such Persons, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person who shall have, either before or within Six Months after the Execution of such Contract or Indenture, paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be inrolled, and who, on or before the Twenty fourth Day of *October* One thousand eight hundred and twenty seven, shall cause such Contract or Indenture to be inrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed, in such Manner as the same ought to have been made and filed in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities, in or by any Act or Acts of Parliament mentioned and incurred, or to be incurred, for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the said Twenty fourth Day of *October*, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought by the Laws now in being for that Purpose to have been made and filed; and it shall

Persons who shall have paid the proper Stamp Duties on Indentures to serve as Clerks, but have omitted to file the proper Affidavits, indemnified on so doing by 24th October 1827.

be lawful for the respective Officer or Officers who ought to receive, inrol, register, make and file every such Contract or Indenture and Affidavit respectively, and every such Officer or Officers respectively are hereby authorized and required, to receive, inrol, and register, and to make and file every such Contract, Indenture, or Affidavit respectively, at any Time on or before the said Twenty fourth Day of *October*; any thing in any Act or Acts to the contrary in anywise notwithstanding.

Persons prosecuted, and hereby meant to be indemnified, may plead the General Issue.

II. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall from and after the said Twenty fourth Day of *October*, be brought, carried on, or prosecuted, against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred or to be incurred by any such Neglect or Omission to inrol such Contracts, or Indentures as aforesaid, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

C A P. XLVI.

An Act for the better enabling the Commissioners appointed by an Act passed in the Third Year of His present Majesty to complete the Buildings of His Majesty's General Register House at *Edinburgh*. [23d June 1827.]

57 G. 3. c. 64.

‘ WHEREAS by an Act passed in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to abolish certain Offices, and regulate others in Scotland*, it was among other Things enacted, that from and after and upon the Termination of the then existing Interests in the Offices of Keeper of the Signet and Lord Register in *Scotland* respectively, in the Manner therein mentioned, the Fees paid and payable to the Lord Register for *Scotland*, or in respect of the Duties then discharged by any Person or Persons in the Office of the said Lord Register, should continue to be paid and payable in the same Manner as such Fees respectively were then paid and payable; and such Fees should be applied, in the first Place, in satisfying and paying such Salaries or Allowances as the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them, should think fit to grant and direct to be paid to any Person or Persons whom they might think necessary for the due Discharge of the Business appertaining to the Office of Lord Register; and in the next Place, in Payment of the Salary of One thousand two hundred Pounds *per Annum*, thereby granted to the Person holding the said Office of Lord Register; and any Balance of such Fees which should remain after such Payment, should be made to the Receiver General of *Scotland*, at least Once in Three Months, or as the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall direct, and should be paid and accounted for by him with the other Public Monies received by him: And Whereas the Interest which existed in the said Office of Lord Register in *Scotland*, at the Date of the

above

‘ above recited Act, terminated by the Death of the Right Honourable *Archibald Colquhoun*, which happened on the Eighth Day of *December* One thousand eight hundred and twenty ; and the said Office of the Lord Register is now held, and the Duties thereof are now discharged, by the Person who was then and still continues Keeper of the Signet for *Scotland*, in the Manner directed by the above recited Act : And Whereas by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for regulating the Fees chargeable in His Majesty's General Registry House at Edinburgh, and for completing the Buildings necessary for keeping the Public Records of Scotland therein*, proceeding on a Recital, that the Building called The General Register House, which had been erected for the Purpose of being a Repository of the Public Muniments and Records of *Scotland*, remained to be completed according to the original Design and Plan thereof, and the Accommodation afforded by so much of the Building as had been erected had become insufficient for the Purposes of such Repository, and it being necessary that additional Accommodation should be afforded, it was reasonable that the Balance of Fees remaining, after satisfying and paying the Salaries or Allowances granted or that might be granted for the due Discharge of the Business appertaining to the said Office of Lord Register, and also of the Office of the Keeper of the Signet, when the same should come to be, as the said Office of Lord Register had been, regulated pursuant to the said recited Act of the Fifty seventh Year of His late Majesty's Reign, should be applied for this Purpose ; it was therefore enacted, that the Balance of all such Fees that had already arisen, and the Balance of all such Fees that should hereafter arise, which are directed by the said recited Act to be paid to the Receiver General of *Scotland*, should be paid to the Keeper of the Great Seal of *Scotland*, the Keeper of the Privy Seal, the Lord Justice General of *Scotland*, the Lord President of the Court of Session in *Scotland*, the Lord Register of *Scotland*, the Lord Advocate of *Scotland*, the Justice Clerk, the Lord Chief Baron of the Court of Exchequer in *Scotland*, and the Lord Chief Commissioner of the Jury Court, all for the Time being, until Sums should have been received by them, or any Three or more of them, to the Amount of Thirty thousand Pounds ; and it was further enacted, that all Sums so received by virtue of that Act should be laid out and applied by the aforesaid Persons herein named, or any Three or more of them, in completing and fitting up the Buildings intended for a general Repository of the Public Records of *Scotland*, according to the original Plan or Design thereof, Part of which only had been finished, or according to such other Plan or Design as should appear to the aforesaid Persons above named, or any Three or more of them, best adapted, in the present State of the Public Records of *Scotland*, for the Purposes of such Repository ; and it was also further enacted, that Once at least in Three Years from and after the passing of that Act the aforesaid named Persons, or some Three or more of them, should make a Report to each House of Parliament, stating the Sums from time to time received by them pursuant to this Act,

‘ the

3 G. 4. c. 62.

the Application thereof, the Progress made in completing the said Building, and any Matter arising out of the same which may appear proper to them to be reported to Parliament: And Whereas by the Reports made by the aforesaid Commissioners to the Two Houses of Parliament in pursuance of the aforesaid Act, it appears that in carrying into Execution the Purposes of the above recited Act, they had found it expedient to alter and in some respects to enlarge the original Plan or Design of the Buildings of His Majesty's General Register House, and also to alter and improve certain Parts of the Buildings formerly erected, and the interior Arrangements of many of the Apartments therein contained, in consequence of which a larger Expence must unavoidably be incurred than had been provided for by the aforesaid Act; and that for defraying the Expence, it will be proper to provide, by a further Appropriation of the Fees that shall remain after satisfying and paying the Salaries or Allowances granted or that may be granted for the due Discharge of the Business appertaining to the Office of Lord Register, and also of the Office of Keeper of the Signet, when the same shall come to be regulated pursuant to the aforesaid Act of the Fifty seventh Year of the Reign of His late Majesty; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Balance of all such Fees as have already arisen or shall hereafter arise, which are directed by the said first recited Act to be paid to the Receiver General of *Scotland*, shall be paid to the Keeper of the Great Seal of *Scotland*, the Keeper of the Privy Seal of *Scotland*, the Lord Justice General of *Scotland*, the Lord President of the Court of Session in *Scotland*, the Lord Register of *Scotland*, the Lord Advocate of *Scotland*, the Lord Justice Clerk, the Lord Chief Baron of the Court of Exchequer in *Scotland*, and the Lord Chief Commissioner of the Jury Court, all for the Time being, until Sums shall have been received by them, or any Three or more of them, to the Amount in all of Twenty thousand Pounds.

Balance of Fees payable in the Office of Lord Register to be paid to certain Persons till it shall amount to the Sum of 20,000*l*.

Sums so received to be applied in building and fitting up General Register Houses.

II. And be it enacted, That all Sums so received by virtue of the above recited Act of the Third Year of the Reign of His present Majesty, or by virtue of this present Act, shall be laid out and applied by the aforesaid Persons herein named, or any Three or more of them, in completing and fitting up the Buildings intended for a general Repository of the Public Records of *Scotland*; according to the original Plan or Design thereof, or according to such other Plan or Design as shall appear to the aforesaid Persons above named, or any Three or more of them, best adapted, in the present State of the Public Records of *Scotland*; for the Purposes of such Repository.

C A P. XLVII.

An Act for the further Amendment and Extension of the Powers of the several Acts authorizing Advances for carrying on Public Works. [23d June 1827.]

WHEREAS it is expedient that the Provisions of an Act made in the Fifty seventh Year of His late Majesty's Reign, for authorizing the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, for the carrying on of Public Works and Fisheries in the United Kingdom, and for the Employment of the Poor in *Great Britain*, and the several Acts for amending the same, should be further extended and enlarged; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful for the Commissioners for the Execution of the said Acts in *Great Britain*, or any Three or more of them, from time to time for the Time being, in such Manner and Form as the said Commissioners for the Execution of the said Acts may think fitting and expedient, by and with the Consent and Approbation of the Lord High Treasurer or of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to grant any further Time for the Repayment of any Sum or Sums of Money which shall have been lent or advanced by the said Commissioners at any Time before the passing of this Act, under the Provisions of the said Acts or any of them, or which at any Time after the passing of this Act may be lent or advanced by the said Commissioners under the Powers of any of the said recited Acts; and that the Time for the Repayment of any such Loan or Advance may be extended by the said Commissioners for the Execution of the said Acts, with the Consent of the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, to any Period exceeding the Period of Twenty Years, any thing in the said Acts or any of them to the contrary in anywise notwithstanding; and that it shall be lawful for the said Commissioners for the Execution of the said Acts to compound any Debt or Debts on account of any such Loan or Advance, and to stay any Proceedings for the Recovery of the same upon Payment and Receipt of any such Sum or Sums of Money, or of such Amount or Proportion of Principal or Interest, and at such Rate of Interest, and upon such Terms and Conditions, as the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall judge fitting and expedient, and shall order and direct; and that it shall be lawful for such Commissioners for the Execution of the said Acts, by and with the Consent and Approbation of the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, at any Time after the passing of this Act, to make any Loan or Advance for any of the Purposes mentioned in the said Acts or any of them, or for any other like Purposes, in *Great Britain* and

57 G. 3. c. 34.

Further Time may be granted for the Repayment of any Sums lent for carrying on Public Works.

Time of Repayment may be extended beyond 20 Years.

Commissioners may compound for Debts.

Commissioners may lend, for the Purposes herein mentioned, on the Securities required in former Acts, or on such other

Securities as shall appear to them sufficient.

and *Ireland* respectively, under the Regulations of the several Acts in force immediately before the passing of this Act, and for the Purpose of giving Employment to the Labouring Classes of the Poor in *Ireland*, upon such Securities as are mentioned in the said Acts or any of them, or upon any such other Securities as shall appear to be good and sufficient to such Commissioners; and that all such Proceedings of such Commissioners for the Execution of the said Acts, by and with the Consent and Approbation of the said Lord High Treasurer or such Commissioners of the Treasury, shall be good, valid, and effectual to all Intents and Purposes whatsoever, any thing in the said Acts or any of them to the contrary in anywise notwithstanding.

6 G. 4. c. 35.

‘ II. And Whereas by an Act made in the Sixth Year of His present Majesty’s Reign, intituled *An Act to render more effectual the several Acts for authorizing Advances for carrying on Public Works, so far as relates to Ireland*, the Sum of Three hundred thousand Pounds *British Currency*, Part of the Sum of Two Millions to be raised by Exchequer Bills under an Act made in the Third Year of His present Majesty’s Reign, for amending Two Acts of the Fifty seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, was set apart and appropriated and directed to be applied in the Manner specified in the said recited Act of the Sixth Year of His Majesty’s Reign: And Whereas by an Act of this present

7 & 8 G. 4. c. 12.

Session of Parliament, intituled *An Act to amend an Act of the First Year of His present Majesty, for the Advance of Money for carrying on Public Works in Ireland*; it is enacted, that no more than the Sum of Two hundred thousand Pounds in the whole shall be issued and applied to the Purposes and under the Regulations of the said recited Act of the Sixth Year of His present Majesty’s Reign, instead of the Sum of Three hundred thousand Pounds in the same Act mentioned: And Whereas Doubts have arisen as to the Construction of the said Act of this present Session, and as to the intended Application of the Remaining Sum of One hundred thousand Pounds, Part of the said Sum of Three hundred thousand Pounds mentioned in the said Act of the Sixth Year aforesaid, Be it

Lord Lieutenant may order Advances under Presentments made before or after passing c. 12. of this Session. Application of the remaining Sum of 100,000*l.*, Part of 300,000*l.* set apart by
6 G. 4. c. 35.

therefore declared and enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to order any Advances to be made under any Presentment or Estimate which may have been or may be made at any Time either before or after the passing of the said Act of this present Session; and that it shall and may be lawful for the Commissioners for the Execution of the said Act of the Third Year of His present Majesty to apply the said Sum of One hundred thousand Pounds, Part of the said Sum of Three hundred thousand Pounds, in such and the like Manner to all Intents and Purposes as before the passing of the said Act of the Sixth Year aforesaid they were authorized and empowered to apply the said Sum of Two Millions to be raised by Exchequer Bills as aforesaid, and as if the said Act of the Sixth Year aforesaid had not

not been made or passed ; any thing in the same Act to the contrary in anywise notwithstanding.

III. And be it further enacted, That for the Execution of this Act, the Commissioners for the Execution of the said Acts, and the Lord High Treasurer or Commissioners of the Treasury, and all other Persons, shall have all such and the like Powers and Authorities in all respects as are given to or vested in such Commissioners, Lord High Treasurer, Commissioners of the Treasury, and other Persons by the said Acts or any of them, except only so far as the same are altered by this Act.

Powers of former Acts effectual for executing this Act.

C A P. XLVIII.

An Act to continue until the First Day of *June* One thousand eight hundred and twenty eight, and from thence to the End of the then next Session of Parliament, an Act of the Third Year of His present Majesty, for regulating the Manner of licensing Alehouses in *England*.

[23d *June* 1827.]

C A P. XLIX.

An Act to exempt Persons who have procured Game Certificates in *Great Britain* from the Duty on Game Certificates in *Ireland*, and to authorize Persons who have paid Duty on Game Certificates in *Ireland* to kill Game in *Great Britain*, upon paying the additional Duty only.

[23d *June* 1827.]

‘ **W**HEREAS by an Act passed in the Fifty second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, certain Duties therein specified are imposed upon Persons (not acting by virtue of a Deputation or Appointment) in *Great Britain* who shall use any Dog, Gun, Net, or other Engine, for the Purpose of taking or killing any Game whatever, or any Woodcock, Snipe, Quail, or Landrail, or any Conies, or shall take or kill by any Means whatever, or shall assist in any Manner in the taking or killing by any Means whatever, any Game, or any Woodcock, Snipe, Quail, or Landrail, or any Cony : And Whereas by another Act passed in the Fifty sixth Year of the Reign of His said late Majesty, intituled *An Act to repeal the several Stamp Duties in Ireland, and also several Acts for the Collection and Management of the said Duties, and to grant new Stamp Duties in lieu thereof ; and to make more effectual Regulations for collecting and managing the said Duties*, certain Duties therein specified are imposed upon Certificates, to authorize Persons not being Gamekeepers to kill Game in *Ireland* : And Whereas it is expedient to exempt Persons who shall have paid any such Duty as aforesaid in *Great Britain* from the Duties payable on any such Certificates as aforesaid in *Ireland*, and to exempt Persons who shall have paid any Duty on any such Certificates as aforesaid in *Ireland*, upon

52 G. 3. c. 93.

56 G. 3. c. 56.

† *Sic.*

Persons who have paid the Duty on Game Certificates in Great Britain exempt from the Duty thereon in Ireland ;

and Persons having paid the Duty imposed thereon in Ireland exempt from the Duty in Great Britain on paying the Difference only.

Commissioners of Stamps in Ireland, receiving the Difference of Duty, to stamp Certificates with a Mark denoting such Payment.

‘ upon † the Duty imposed on any such Person as aforesaid in *Great Britain*, upon their paying to the Commissioners of Stamps in *Great Britain* the Difference between the Duty paid by them on such Certificates in *Ireland*, and the Sum which would have been payable by them in *Great Britain* in case they had not previously paid any such Duty as aforesaid in *Ireland* ;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, whenever any Person shall have paid or shall pay the Duty imposed by the said recited Act of the Fifty second Year of the Reign of His late Majesty on Persons in *Great Britain*, other than Persons acting by virtue of a Deputation or Appointment, who shall use any Dog, Gun, Net, or other Engine for the Purpose of taking or killing any Game whatever, or any Woodcock, Snipe, Quail, or Landrail, or any Conies, or shall take or kill by any Means whatever, or shall assist in any Manner in the taking or killing by any Means whatever, any Game, or any Woodcock, Snipe, Quail, or Landrail, or any Cony, such Person shall be exempt from the Duty imposed by the said recited Act passed in the Fifty sixth Year of the Reign of His said late Majesty on Certificates to authorize Persons not being Gamekeepers to kill Game in *Ireland*, for and during the Period in respect whereof such Duty shall have been paid in *Great Britain*, and from all the Penalties contained or imposed in the said recited Act of the Fifty sixth Year of the Reign of His late Majesty, or in and by any other Act or Acts for securing any of the said Duties so payable in *Ireland* as aforesaid ; and that every Person who shall have paid any of the Duties imposed by the said recited Act of the Fifty sixth Year of the Reign of His late Majesty on Certificates to authorize Persons not being Gamekeepers to kill Game in *Ireland*, shall be exempt from the Duties imposed by the said recited Act of the Fifty second Year of the Reign of His late Majesty, on Persons in *Great Britain* who shall use any Dog, Gun, Net, or other Engine for the Purpose of taking or killing any Game whatever, or any Woodcock, Snipe, Quail, or Landrail, or any Cony, and from all the Penalties contained in or imposed by the said recited Act of the Fifty second Year of the Reign of His late Majesty, or in or by any other Act or Acts for securing any of the said Duties payable in *Great Britain* as aforesaid, provided such Person shall first pay to the said Commissioners of Stamps in *Great Britain* the Difference between the Duty already paid by him in *Ireland*, and the Duty which would have been payable in respect of such Person for any of the Purposes aforesaid in *Great Britain*.

II. And be it further enacted, That in every Case in which any such Difference of Duty shall be offered to be paid to the Commissioners of Stamps in *Ireland* as aforesaid, it shall be lawful for the said Commissioners of Stamps, or their proper Officers, and they are hereby authorized and required to receive the Amount of such Difference of Duty, upon the Production to the said Commissioners, or their proper Officers, of the Certificate upon which the original Duty shall have been paid, and to stamp such

such Certificate with a Mark or Impression denoting the Payment of the additional Duty payable thereon in pursuance of this Act.

III. Provided always, and be it further enacted and declared, That neither the Payment of the Difference of Duty as aforesaid, nor the stamping of the Certificate, nor any thing contained or done in pursuance of this Act, shall be construed to authorize or enable any Person to kill Game, or use any Dog, Gun, Net, or other Engine for any of the Purposes mentioned in this Act, at any Time or Times, or in any Manner prohibited by any Law in force at or immediately before the passing of this Act, nor unless such Person shall be duly qualified so to do under and by virtue of the Laws in being; and all Penalties and Forfeitures, Actions and Suits, shall and may be prosecuted and maintained for such Offences as if this Act had not been made.

Nothing herein to authorize the killing of Game in any Manner prohibited by Law.

C A P. L.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight.

[23d June 1827.]

‘ **W**HEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expences of the Regular Militia, and of the Miners of *Cornwall* and *Devon* (when disembodied) in *Great Britain* and *Ireland*; and also for making Allowances of Reduced Pay in certain Cases to Subaltern Officers and Surgeons Mates of the Regular Militia and Miners of *Devon* and *Cornwall* in *Great Britain*, while disembodied; and also Allowances to Adjutants and Serjeant Majors of the Regular Militia, who have been or may be reduced; and to Adjutants, Surgeons, and Quartermasters, after long Service;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Secretary at War for the Time being may and shall, and he is hereby authorized, empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses hereinafter mentioned; (that is to say), for the Pay of the said Regular Militia at the Rates following; (that is to say),

Secretary at War to issue the Money required for the Pay of the Regular Militia.

For each Adjutant, Eight Shillings *per Diem* :

Rates of Pay.

For each Paymaster, in Corps consisting of Three Companies and upwards, Six Shillings *per Diem* :

For each Paymaster, in Corps consisting of Two Companies, Five Shillings *per Diem* :

For each Paymaster, in Corps consisting of One Company, Four Shillings *per Diem* .

For

For each Surgeon, Six Shillings *per Diem* :

For each Quartermaster, where One had been appointed in a Corps while embodied at an Establishment of not less than Three hundred and sixty Private Men, Five Shillings *per Diem* ; and at an Establishment of less than Three hundred and sixty Private Men, Three Shillings *per Diem* :

For each Serjeant Major, having been Serjeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence *per Diem* :

For each Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Ten Pence *per Diem* :

For each Quartermaster Serjeant of the Militia of Ireland, One Shilling and Ten Pence *per Diem* :

For each Serjeant, having been a Colour Serjeant in One of the Provisional Battalions of Militia, Two Shillings *per Diem* :

For each Serjeant doing the duty of Quartermaster Serjeant while no Quartermaster is appointed, One Shilling and Ten Pence *per Diem* :

For each Serjeant, One Shilling and Sixpence *per Diem* :

For each Corporal, One Shilling and Two Pence *per Diem* :

For each Drum Major, where One is appointed in Corps consisting of Three or more Companies, One Shilling and Sixpence *per Diem* :

For each Drummer or Fifer, One Shilling *per Diem* :

Rates of Pay
when absent on
Furlough.

Provided always, That when any Serjeant, Corporal, Drummer, or Fifer shall be absent on Furlough or Licence; such Serjeant, Corporal, Drummer, or Fifer shall during such Absence receive Pay at the following Rates, instead of those above mentioned; (that is to say),

Every Serjeant Major, having been Serjeant Major of a Provisional Battalion of the Militia, Two Shillings *per Diem* :

For every Serjeant, having been a Colour Serjeant in any Provisional Battalion of the Militia, One Shilling and Sixpence *per Diem* :

For every Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Four Pence *per Diem* :

For every Quartermaster Serjeant of the Militia of Ireland, One Shilling and Four Pence *per Diem* :

For every Serjeant doing the Duty of Quartermaster Serjeant while no Quartermaster is appointed, One Shilling and Four Pence *per Diem* :

For every other Serjeant, the Sum of One Shilling *per Diem* :

For every Corporal, the Sum of Eight Pence *per Diem* :

For every Drum Major, where One is appointed in Corps consisting of Three or more Companies, the Sum of One Shilling *per Diem* :

And for every Drummer or Fifer, the Sum of Sixpence *per Diem*, respectively, and no more :

Clothing.

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel

Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major, Quartermaster Serjeant, and Serjeant doing the Duty of Quartermaster Serjeant while no Quartermaster is appointed; Three Pounds for each Serjeant; One Pound Seventeen Shillings and Four Pence for each Corporal; Two Pounds Eighteen Shillings and Seven Pence for each Drum Major; Two Pounds Eighteen Shillings and Seven Pence for each Drummer or Fifer; and One Pound Seventeen Shillings for each Private Man; and so in proportion in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expence of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been notified by the Secretary at War; and that such Serjeant Majors, Quartermaster Serjeants, Drum Majors, Serjeants, Corporals, and Drummers or Fifers, who may be retained on constant Pay, and resident at Head Quarters, shall be clothed once in Two Years:

And also at the Rate of Two Pence *per* Month for each Private Man and Drummer or Fifer, for defraying the contingent Expences of each Regiment, Battalion, or Corps.

Contingent Fund.

II. Provided always, and be it further enacted, That any Paymaster of Disembodied Militia, being either on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of His Majesty's Regular Forces, or Navy or Marines, shall and may and he is hereby empowered to receive and take the aforesaid Rates of Disembodied Pay, (*videlicet*) Six Shillings, Five Shillings, or Four Shillings *per Diem*, as the Case may be; and the receiving and taking such Rates of Disembodied Pay as aforesaid, shall not prevent such Paymaster on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay, or such Allowance; and such Paymaster shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same:

Paymaster allowed Disembodied Pay.

' I A. B. do swear, That I had not between the
' and the any Place or Employment of
' Profit, Civil or Military, under His Majesty, besides my Allow-
' ance of Half Pay as a reduced in His Majesty's
' Army or Navy, or Marines (*as the Case may be*), save and except
' my Disembodied Pay (of Six Shillings, Five Shillings, or Four
' Shillings, *as the Case may be*) as Paymaster of the
' Militia.'

Oath.

And the taking the said Oath shall be sufficient to entitle such Paymaster to receive his Half Pay or the said Allowance, without taking any other Oath; any Law, Usage, or Custom to the contrary notwithstanding.

III. And be it further enacted, That every Adjutant, Paymaster, Surgeon, Quartermaster, and every Noncommissioned Officer, Drummer, and Fifer, on permanent Pay of Regular Militia, when disembodied, shall be constantly resident within the City, Town, or Place where the Arms of the Corps to which such Officers belong are kept, or within such reasonable Distance of the Depôt as shall be sanctioned by the Secretary at War: Pro-

Residence of certain Officers to be where Arms of the Corps are kept.

vided always, that every such Adjutant, Paymaster, Surgeon, Quartermaster, Noncommissioned Officer, Drummer, and Fifer, shall forfeit his Pay for any Period during which he shall be absent, except when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Noncommissioned Officers, Drummers, and Fifers at the same Time, except in case of certified Sickness.

Quartermaster,
&c. to have
Charge of the
Arms and
Clothing.

Paymaster to
issue the Mo-
ney for contin-
gent Expences,
on an Order
signed by the
Colonel.

Balance to
form a Stock
Purse.

In Absence of
the Adjutant,
the Serjeants,
&c. to be
under the Com-
mand of the
Quartermaster.

Militia when
called out for
Training or
Exercise, enti-
tled to Pay.

Allowances to
Subalterns and
Surgeons Mates

IV. And be it further enacted, That the Quartermaster of each Regiment of Militia in which a Quartermaster is appointed, and when no Quartermaster is appointed, then the Paymaster, shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores, under the Superintendence of the Colonel or Commandant; and the Paymaster shall, out of the Allowance of Two Pence *per* Month for each Private Man, Drummer, or Fifer, directed by this Act to be issued and paid for defraying the contingent Expences of such Regiment, Battalion, or Corps, from time to time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expences, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid, he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, shewing the Balances remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts so allowed and signed shall be and are hereby directed to be the proper Vouchers and Acquittal of such Paymaster for the Application and Disposal of such Money.

V. And be it further enacted, That in the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Arms of any Corps of Militia when disembodied are kept, or during any Vacancy in the Appointment of Adjutant, the Serjeants, Corporals, Drummers, and Fifers shall be under the Command of the Quartermaster in Cases in which One is appointed, and when no Quartermaster is appointed, then under the Command of the Paymaster; and such Quartermaster and Paymaster respectively shall render the same Returns, and perform such other Acts as are by Law required from the Adjutant.

VI. And be it further enacted, That the Officers and Noncommissioned Officers, Drummers, Fifers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of annual Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Noncommissioned Officers, Drummers, Fifers, and Private Men of the Militia when embodied.

VII. And Whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces of *Great Britain* and *Ireland*, while disembodied, under certain Regulations; Be it further enacted, That the following Allowances shall be made and paid to the Amount, under the Restrictions and in the Manner

Manner hereinafter expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held or shall hold a Commission in the Militia of *Great Britain* or *Ireland*, and was or shall be serving therein when the Corps was or shall be disembodied, and also to every Supernumerary Subaltern Officer, and Assistant Surgeon of any Regiment of Militia in *Ireland*, which shall have been augmented during the War, and which shall have been reduced to its original Establishment; (that is to say),

To a Lieutenant, Two Shillings and Sixpence *per Diem* :

To an Ensign, Two Shillings *per Diem* :

And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem* :

Provided always, that all Officers of the Militia serving with the Rank of Captain-Lieutenant shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant shall be deemed to be Ensigns for the Purposes of this Act; and provided always, that such Allowances shall not be received for the Days during which the Regiment, Battalion, or Corps, to which such Officers belong, is assembled for Training and Exercise.

VIII. Provided also, and be it further enacted, That no Person who is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the said Militia, or who is or shall be appointed Adjutant, Surgeon, Paymaster, or Quartermaster, in any Regiment, Battalion, or Corps of Militia, nor any Officer on Full Pay of the Navy, Army, or Marines, shall have or be in any way entitled to the said Allowances, or any Part or Share thereof; any thing herein contained to the contrary thereof in anywise notwithstanding. Exceptions.

IX. And be it further enacted, That the Subaltern Officers, Surgeon's Mate, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances; shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe an Oath before some one of His Majesty's Justices of the Peace in the United Kingdom, or before some one of His Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls Abroad, in the Words or to the Effect following; (*videlicet*,) Oath to be taken to entitle to such Allowances.

‘ I *A. B.* do swear, That I belonged to the of
 ‘ Militia when the same was disembodied, and that I have con-
 ‘ tinued to serve therein from that Time until the Day
 ‘ of inclusive, as a Lieutenant, Ensign, Surgeon's Mate,
 ‘ or Assistant Surgeon, (*as the Case may be*); and that I was not
 ‘ in my own Right or in the Right of my Wife, during any
 ‘ Part of the Period for which I now claim to receive any Allow-
 ‘ ance, that is to say, from the Day of
 ‘ to the Day of both inclusive, in the ac-
 ‘ tual Possession and Enjoyment or Receipt of the Rents and
 ‘ Profits of Lands, Tenements, or Hereditaments of such an annual

‘ nual Value above Reprizes as would qualify me to hold a Commission of Captain of a Company in the Militia; that I was not in Holy Orders; that I have not during the above Period held the Appointment of Adjutant, Surgeon, Paymaster, or Quartermaster in any Regiment, Battalion, or Corps of Militia; that I did not hold or enjoy, nor did any Person for me hold or enjoy, during the said Period, any Office or Income whatsoever from the Public, or from any other Government, besides the Allowance of a Day now claimed, except my Half Pay as a of the Army, or Navy, or Marines, or of a Provisional Battalion formed from the Militia (*as the Case may be*), and any Pay and Allowances from the to the both Days inclusive, during which Period the Corps was assembled for Training and Exercise.

So help me GOD.’

Which Oath so taken and subscribed shall be produced to the Paymaster of the Regiment of Militia by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

Subalterns and Surgeons Mates, &c. to attend the annual Exercise, &c.

X. And be it further enacted, That every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to the Benefits of this Act, shall regularly attend the annual Exercise and Training of the Regiment, Battalion, or Corps to which he belongs, during the whole of the Time by Law appointed for that Purpose, and shall during the said Time punctually do and perform his Duty as a Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as the rest of his Pay, and every Part thereof, which may be due for the current Year in which he shall neglect or refuse to attend; and Certificates of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be furnished by the said Commanding Officer to the Paymaster of the Regiment, Battalion, or Corps of Militia to which the Officer shall belong: Provided always, that in case any such Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, claiming to be entitled to such Allowance, shall by his Commanding Officer be permitted or suffered, for any special Cause, or unavoidable Necessity, to be absent during the Whole or any Part of such annual Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowance and every Part thereof in like Manner as if he had attended during the whole of the said annual Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in Certificates (in lieu of those before mentioned), to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster of the Regiment, Battalion, or Corps wherein such Subaltern, Surgeon's Mate, or Assistant Surgeon shall be serving.

Commanding Officer may grant Leave of Absence.

XI. Pro-

XI. Provided always, and be it further enacted, That in case any Regiment, Battalion, or Corps of Militia, after the disembodiment thereof, and before the Time fixed for the Payment of the said Allowances, shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming within the Description of this Act, who shall have taken and subscribed the Oath hereinbefore mentioned before any such Justice of the Peace as aforesaid, shall be entitled to the said Allowance as if such Subaltern Officer, Surgeon's Mate, or Assistant Surgeon had regularly attended the annual Exercise and Training of such Regiment, Battalion, or Corps, during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished to the Paymaster of the Regiment.

If the Regiment be not called out before the Time fixed for the Payment, the Allowance shall be paid, on taking the Oath, without Certificate of Attendance.

XII. And be it further enacted, That upon such Oaths and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their annual Exercise as aforesaid, upon the said Oaths being produced to the respective Paymasters, it shall be lawful for such Paymasters, and they are hereby authorized and required, to pay to the said Subaltern Officers, Surgeons Mates, and Assistant Surgeons, according to their respective Commissions of Lieutenant, Ensign, Surgeon's Mate, or Assistant Surgeon, the Allowance above mentioned, for Three Months, or other proper Period, on the Twenty fourth Day of *June* One thousand eight hundred and twenty seven, and the other Proportions of the same on the Twenty fourth Day of *September* One thousand eight hundred and twenty seven, the Twenty fourth Day of *December* One thousand eight hundred and twenty seven, and the Twenty fourth Day of *March* One thousand eight hundred and twenty eight, without any Deduction whatsoever; the Oaths and Certificates before mentioned to be by them preserved and produced among the Vouchers for the Payments from time to time made by them in pursuance of this Act or of any Regulation made by the Secretary at War.

Paymasters to pay the Allowances on the 24th June, 24th September, and 24th December 1827, and 24th March 1828.

XIII. And be it further enacted, That the Subaltern Officers, Surgeons Mates, and Assistant Surgeons of the Militia entitled or claiming to be entitled to the Benefits of this Act, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong, whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon at such Times or for such Occasions as may be required of them in pursuance of the Laws now in force respecting the Militia when disembodied, each and every such Subaltern Officer, Surgeon's Mate, and Assistant Surgeon, shall on such Neglect or Refusal being certified to the Lord Lieutenant and Paymaster by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Subaltern, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claims to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

On Neglect of Attendance being certified by the Colonel or Commandant, Subalterns, &c. shall forfeit their Claim to the Allowance.

Supernumerary Lieutenants, &c. of any Regiment of Militia in Ireland augmented during the War, and since reduced, succeeding to any Vacancy, shall be entitled to the Pay and Allowance under this Act.

Allowance not to be paid while the Militia is embodied.

Persons being on Half Pay or entitled to Allowance as having served in the Army or Navy, empowered, if serving in the Militia, to receive the Pay and Allowances hereby directed to be paid, on taking the following

Oath.

XIV. And be it further enacted, That whenever any Supernumerary Lieutenant, Ensign, or Assistant Surgeon of any Regiment of Militia in *Ireland*, which shall have been augmented during War, and which shall have been reduced to its original Establishment, shall have succeeded or shall succeed to any Vacancy which shall have occurred or shall occur in any such Regiment respectively, such Lieutenant, Ensign, or Assistant Surgeon, shall, from the Time of his so succeeding, be entitled to such Pay and Allowances under this Act, and in like Manner and to the like Amount, and under the like Restrictions and Regulations, as any Lieutenant, Ensign, or Assistant Surgeon who shall have been serving on the original Establishment of such Regiment at the Time of the disembodiment thereof; and such Lieutenant, Ensign, or Assistant Surgeon so succeeding shall be deemed to have belonged to such Regiment when the same was disembodied, and to have continued to have served therein from that Time, and shall in all respects, from and after his so succeeding, be subject to the Regulations in this Act contained with respect to any Lieutenant, Ensign, or Assistant Surgeon of the said Militia who shall claim and receive the Pay and Allowances under this Act.

XV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to entitle any Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid, to the said Allowance or any Part thereof during the Time the Militia to which he belongs shall be embodied or ordered out on actual Service.

XVI. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance, as having served in any of His Majesty's Forces, or Navy or Marines, and serving in the Militia, shall and may and he is hereby empowered to receive and take the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving and taking any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance; and such Person shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same:

‘ I *A. B.* do swear, I had not between the _____ and the
 ‘ _____ any Place or Employment of Profit, Civil or Military, under His Majesty, besides my Allowance of Half Pay as reduced
 ‘ in His Majesty's Army, or Navy, or Marines [*as the Case may be*], save and except my Pay or Allowance as a Field Officer,
 ‘ Captain, Lieutenant, Ensign, Adjutant, Paymaster, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, while
 ‘ assembled for Training and Exercise [*as the Case may be*], for
 ‘ serving in the Militia of the County of _____; and that I was
 ‘ not in Holy Orders.’

And

And the taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay or the said Allowance, without taking any other Oath; any Law, Usage, or Custom to the contrary notwithstanding.

XVII. Provided always, and be it further enacted, That no Adjutant, Quartermaster, Noncommissioned Officer, Drummer, Fifer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pensions or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Subaltern, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance of Two Shillings and Sixpence or Two Shillings a Day granted by this Act to Subalterns, Surgeons Mates, or Assistant Surgeons, when disembodied.

Adjutants, &c. Noncommissioned Officers or Privates, not to lose their Right to *Chelsea* Pensions, &c.

XVIII. And be it further enacted, That there shall be granted to the Surgeon of each Regiment of Regular Militia, when disembodied, a Sum of Money in addition to his Pay, after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expence of necessary Medicines for the sick Noncommissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Annual Exercise or Training; and also an Allowance of Sixpence *per Month* for each of the Noncommissioned Officers, Drummers, and Fifers of each Regiment on constant Pay at Head Quarters, for the Expence of necessary Medicines and Attendance given to the said Noncommissioned Officers, Drummers, and Fifers, while such Regiment is not called out for annual Training and Exercise.

Allowance to be made to Surgeons for Medicines in addition to their Pay.

XIX. And be it further enacted, That every Adjutant of Regular Militia who shall have been appointed as such before the Twenty fourth Day of *December* One thousand eight hundred and fourteen, and who shall have served faithfully, either in His Majesty's Regular Forces, or in the Regular or Local Militia, for the full Term of Twenty Years in the Whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, who shall have been or shall be by Age or Infirmary rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster shall and he is hereby authorized to pay to such Person, an Allowance at the Rate of Eight Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the said Allowance of Eight Shillings a Day: Provided always, that any Adjutant who shall have been appointed since the Twenty fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully either in His Majesty's Regular Forces, or in the Regular or Local Militia, for the full Term of Thirty Years in the Whole, whereof

Adjutants appointed before Dec. 24, 1814, entitled to receive, after a Service of 20 Years, and unfit for further Service, an Allowance of 8s. *per Day*, provided they do not hold certain other Appointments.

Adjutants appointed since Dec. 24, 1814, entitled to receive, after 30 Years Service, Fifteen

Sec. an Allow-
ance of 6s. per
Day.

Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall, upon producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster shall be and he is hereby authorized to pay to such Person, an Allowance at the Rate of Six Shillings a Day, subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out Pension by reason of receiving such Allowance as aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half
Pay reserved.

Quartermas-
ters, after a
Service of 30
Years, and un-
fit for further
Service, enti-
tled to an Al-
lowance at the
Rate of their
Pay in the dis-
embodied
Militia.

XX. And be it further enacted, That any Quartermaster of Regular Militia who shall have served faithfully, either in His Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been as a Quartermaster of Regular Militia, and who shall have been or shall be by Age or Infirmary rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and obtaining from the Secretary at War an Order founded upon such Certificate, be entitled to receive, and the Paymaster of the Regiment shall be and is hereby authorized to pay to such Person, an Allowance at the Rate of his Pay when serving in the disembodied Regular Militia: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the said Allowance: Provided also, that no such Quartermaster shall, by reason of receiving such Allowance as aforesaid, forfeit any Right which he may have to Half Pay or Out Pension, but shall be entitled to receive such Half Pay or Out Pension as well as such Allowance.

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Right to Half
Pay reserved.

Surgeons, after
a Service of 20
Years, and un-
fit for further
Service, to re-
ceive 6s. per
Day.

XXI. And be it further enacted, That if any Surgeon of Regular Militia, having faithfully served in His Majesty's Regular Forces or in the Militia for the full Term of Twenty Years, shall by Age or Infirmary be rendered unfit for further Service, he shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years in the whole (Ten of which he shall have served as a Surgeon of Militia), from the Commanding Officers of the different Corps to which he shall have belonged, and obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster of the Regiment shall be and he is hereby authorized and required to pay to such Person, an Allowance at the Rate of Six Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the

Proviso.

the said Allowance of Six Shillings a Day; but no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

XXII. And be it further enacted, That in case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined, or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion, or Corps, from the Twenty fifth Day of *March* One thousand eight hundred and twenty seven, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, as the Case may be, to the Twenty fourth Day of *March* One thousand eight hundred and twenty eight: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits and Emoluments of which shall exceed Three Times the Amount of the said Allowance of Four Shillings a Day; but no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

XXIII. And Whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced, under the Provisions of an Act passed in the Thirty ninth and Fortieth Years of the Reign of His late Majesty, which Allowance has been continued, and as to such Adjutants augmented to Four Shillings *per Diem*; Be it therefore enacted, That all such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Twenty fifth Day of *March* One thousand eight hundred and twenty seven to the Twenty fifth Day of *March* One thousand eight hundred and twenty eight, to be issued and paid to them under the Directions of the Secretary at War.

XXIV. And be it further enacted, That every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty ninth and Fortieth Years aforesaid, and continued by any subsequent Acts, or by this Act, may receive and take such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable, together with such reduced Allowance under the Provisions of an Act passed in the Twenty sixth Year of the Reign of His late Majesty, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of Great Britain called England*, or under the Provisions of the aforesaid Acts of the Thirty ninth and Fortieth Years of the Reign of His late Majesty: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under His Majesty other than such as aforesaid, or any Civil Office or Employment under His Majesty, the annual Profits

Right to Half Pay reserved.

Reduced Adjutants to receive 4s. per Day till March 24, 1828.

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Right to Half Pay reserved.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107.

Proviso.

Profits and Emoluments of which shall exceed Three Times the Amount of such reduced Allowance.

Money for Pay, &c. to be issued under the Directions of the Secretary at War.

XXV. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, Allowances, and contingent and other Expences for the Regular Militia when disembodied as aforesaid, shall be issued and paid under the Direction of the Secretary at War, according to such Regulations as have been or shall be established on that Head.

Allowances to Clerks of General and Subdivision Meetings in England.

42 G. 3. c. 90.

XXVI. And be it further enacted, That in every County in *England and Wales* where the Regular Militia is or shall be raised, Allowances shall be made to the Clerks of General Meetings, and to the Clerks of Subdivision Meetings of Lieutenancy, for their Trouble and Expences in the Execution of an Act passed in the Forty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for amending the Law relating to the Militia in England, and for augmenting the Militia*, and of any other Acts relating to the said Militia; and also to the Clerks of General Meetings, and the Clerks of Subdivision Meetings of Lieutenancy, for their Trouble and Expences in the Execution of an Act passed in the Thirty Seventh Year of the Reign of His

37 G. 3. c. 25.

late Majesty King *George the Third*, intituled *An Act for the better raising and ordering the Militia Forces of the Tower Hamlets in the County of Middlesex*, and any other Acts relating to the said Militia; and also to the Clerks of General Meetings, and the Clerks of Subdivision Meetings of the Lord Warden and Deputy Wardens of the Stannaries of *Cornwall and Devon*, for their Trouble and Expences in the Execution of an Act passed in the Forty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for repealing an Act made in the Thirty eighth Year of the Reign of His present Majesty King George the Third*, intituled '*An Act for raising a Body of Miners in the Counties of Cornwall and Devon, for the Defence of the Kingdom during the present War*;' and for the more effectually raising and regulating a Body of Miners for the Defence of Great Britain, and of any other Acts relating to the said Militia; and in every County, *Stewartry, City or Place in Scotland* where the Regular Militia is or shall be raised, Allowances shall also be made to the Clerks of General Meetings, and Clerks of the several Subdivision Meetings, and to Schoolmasters, Constables, and other Officers, for their Trouble and Expences in the Execution of an Act passed in the Forty second Year of the Reign of His

Allowances to such Officers and others in Scotland.

42 G. 3. c. 91.

late Majesty King *George the Third*, intituled *An Act to raise and establish a Militia in Scotland*, and of any other Acts relating to the said Militia; and be it therefore enacted, that the said Allowances shall be granted as follows; (*videlicet*), the Amount thereof shall be certified by the Lieutenant of the County, *Stewartry, City, or Place*, or by Two or more Deputy Lieutenants acting for such County, *Stewartry, City, or Place*, or by the Lord Warden of the Stannaries of *Cornwall and Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall and Devon* to the Secretary at War, who is hereby empowered to issue these Allowances according to the Rates specified in the Table to this Act annexed, marked (A.), or such Sums as he shall think reasonable and proper; and the aforesaid Clerks of General Meetings and

Clerks

Clerks of Subdivision Meetings, Schoolmasters, Constables, and other Officers, shall transmit to the Secretary at War the Accounts, Returns, and Orders upon which they claim the aforesaid Allowances, in order that the Secretary at War may give the necessary Directions for the Payment thereof.

‘ XXVII. And Whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from Service in the Militia by reason of bodily Infirmary;

Be it therefore enacted, That it shall be lawful for any Two Deputy Lieutenants, and they are hereby empowered and required, to summon, by Two Days previous Notice in Writing, the Surgeon of any Regiment, Battalion, or Corps of Militia to attend at any Subdivision Meeting held for hearing Appeals at any Place specified by such Deputy Lieutenants, and not being more than Ten Miles from the Head Quarters of the Regiment to which such Surgeon belongs, in order that such Surgeon may examine into the Validity of all such Appeals; and in case there shall not be any such Surgeon of the Militia within the Distance above mentioned, then to summon in like Manner for that Purpose any other competent Surgeon; and every such Surgeon of Militia or other Surgeon shall, before he begins any such Examination, take the Oath prescribed by an Act passed in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend the Laws relating to the Militia of Great Britain*, which Oath any Deputy Lieutenant is hereby authorized to administer; and every such Surgeon shall receive for such Attendance at any such Meeting, without any other Fee or Reward whatever, the same Allowances as are directed by the said recited Act to be paid to Surgeons of Militia or other Surgeons for attending at Subdivision Meetings held for Enrolment of Men to serve in the Militia: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be claimed shall be transmitted to the Secretary at War at the several Periods specified in the Table to this Act annexed, in order that the Secretary at War may give the necessary Directions for the Payment thereof.

Deputy Lieutenants may summon Surgeons on Appeals of Exemption.

55 G. 3. c. 65.

XXVIII. And be it further enacted, That the Accounts of the Clerks of General and Subdivision Meetings of Lieutenancy, Schoolmasters, Constables, and other Officers, shall invariably be inserted in the following Manner; (*videlicet*,) the Account of the Clerk of General Meetings by the Lord Lieutenant or by three Deputy Lieutenants, and the Accounts of the Clerks of Subdivision Meetings by Two of the Deputy Lieutenants under whom they act; and the said Clerks of General and Subdivision Meetings, Schoolmasters, Constables, and other Officers, shall likewise make Oath to the Justness of them, in the following Form, before some Justice of the Peace:

Accounts to be certified on Oath.

‘ I (Clerk, Schoolmaster, Constable, &c.), acting in the District of in the Shire, County, or Stewartry of do hereby solemnly certify and swear, That the preceding (a General Clerk's

' *Clerk's Oath to be qualified thus*, ' in as far as I have any Interest therein') is a just and true Account of Business performed by me, for and in Behalf of the Public Service, according to the Manner therein set forth; that I was employed during the full Time therein stated; and that the Sums claimed as disbursed were well and truly paid out by me; and this is Truth.

' Sworn at before ' So help me GOD.'
' this Day of ' }

Bills drawn for Pay, &c. may be on unstamped Paper.

XXIX. And be it further enacted, That all Bills, Drafts, and Orders drawn for the Pay or Allowances of the Regular Militia, when disembodied under this Act, may be or shall be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

XXX. Provided always, and be further enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

Expence of House for depositing Arms and Stores of the Militia in Ireland, &c. to be defrayed by the County.

XXXI. And be it further enacted, that the Hire or Cost of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing, or other Stores, and for the Residence and Accommodation of the permanent Staff belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, (that is to say,) of the Paymaster, Adjutant, Surgeon, and Quartermaster thereof, shall be defrayed by the County; and the necessary Sum for that Purpose shall be raised by the Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or in the Absence of such Chief Secretary by the Under Secretary for the Military Department, and specifying the Costs incurred or to be incurred in building such House or Place, or the Rent agreed to be paid for the same, or both Costs and Rent; which Certificate shall be transmitted by such Chief Secretary to the Clerk of the Crown for such County, or at any Time prior to the First Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term: Provided, that in no Case any greater Rent than Forty Pounds Currency of the United Kingdom of *Great Britain* and *Ireland* shall be presented by such Grand Jury for the annual Rent of such Place, nor a greater Sum than Two hundred Pounds Currency of the United Kingdom of *Great Britain* and *Ireland* shall be required for building such House, save only in such Cases wherein the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall think proper specially to permit or order a greater Rent or Sum, and then not more than One hundred Pounds Currency of the United Kingdom of *Great Britain* and *Ireland* yearly, net, exclusive of Taxes and Repairs, or a Sum of Five hundred Pounds Currency of the United Kingdom of *Great Britain* and *Ireland*; such Permission or Order to be certified to the Clerk of the Crown by the Chief Secretary, or in his Absence the Under Secretary for the Military Department: Provided also, that the Grand Juries of such Counties shall

Provision as to Amount of Rent, &c.

shall be entitled to purchase Ground for building and erecting such House, in the same Manner as they are now by Law entitled to purchase Ground for building County Gaols.

XXXII. And Whereas the Sums heretofore allowed to be presented for such Purposes have been in some Instances found quite insufficient, and therefore larger Sums have been expended, or larger Rents agreed for, or both; and it is expedient and reasonable that such extra Expences should be defrayed in manner aforesaid; Be it therefore enacted, That in all Cases in which the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall deem any such Agreement or Expenditure to have been proper and necessary, and that the same shall be so certified to the Clerk of the Crown in manner aforesaid, it shall and may be lawful to and for the Grand Jury of the County to present the same, to be raised in the same Manner in all respects as they could or might do under this Act, in case of an Agreement or Expenditure under or in pursuance of a previous Permission or Order made under this Act.

XXXIII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being (if he or they shall see sufficient Cause for so doing), to order and direct that the Arms, Accoutrements, and other Stores, or any Part thereof, belonging to any Regiment or Battalion of the said Militia, shall, at any Time while such Regiment or Battalion shall not be embodied or in actual Service, be conveyed to and deposited and kept in any of His Majesty's Ordnance Stores in the City of *Dublin*, or to and in any such Ordnance Store, or to and in any other Place of Security in any other Part in *Ireland*, as he or they shall from time to time order or direct, and under such Rules and Regulations as he or they shall think fit and proper in that Behalf.

XXXIV. And be it further enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are or may be made answerable or liable under or by virtue of this Act in relation to the Militia of *Ireland*, shall be the Currency of the United Kingdom of *Great Britain* and *Ireland*, and shall be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Wager of Law, Privilege, or Protection, nor more than One Imparlanee, shall be allowed. ●

XXXV. And be it further enacted, That all Provisions, Directions, Clauses, Matters, and Things in this Act contained, relating to Counties and to Regiments of Militia respectively, shall extend and be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and Independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*, as fully and effectually as if they were respectively and severally repeated in every such Provision, Direction, Clause, and with relation to every such Matter or Thing.

XXXVI. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight.

Extra Expences for providing Places for depositing Arms and Stores of Militia of *Ireland* to be paid.

Lord Lieutenant may order the Arms of Militia of *Ireland* to be deposited in the Ordnance Stores in *Dublin*.

Recovery of Penalties and Costs in *Ireland*.

Provisions of this Act relating to Counties shall extend to Ridings, Stewartries, &c.

Continuance of Act.

TABLE to which this Act refers.

SCALE of RATES of Remuneration to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into Execution Two Acts of Parliament passed in the Forty second Year of the Reign of King George the Third, Cap. 90. and 91., and other Acts relating to the Militia.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.	£	s.	d.
1. For Trouble in calling a General Meeting by circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings, at which the Statutory Quorum of Lieutenancy shall be present, each -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.	.		
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to return Lists, each - - - -	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, to return Lists, each - - - -	0	0	6
4. For writing the annual Advertisement for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the parochial Lists and hearing Appeals - - - -	0	7	6
5. For arranging Subdivision Lists, and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary at War, the latter Copy to be annexed to the Clerk's Accounts as a Voucher; <i>videlicet</i> ,			
In Counties furnishing a Quota of 200 Men or under in the Original Number of the Militia - - -	2	2	0
In Counties furnishing from 201 to 400 Men - - -	3	3	0
Ditto - - - 401 to 600 Men - - -	4	4	0
Ditto - - - 601 to 800 Men - - -	5	5	0
Ditto - - - 801 Men and upwards - - -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men, or under	1	1	0
Ditto - - - from 201 to 400 Men - - -	2	2	0
Ditto - - - from 401 to 600 Men - - -	3	3	0
Ditto - - - from 601 to 800 Men - - -	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0

7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment (Schedule E.):	£ s. d.
For engrossing 50 Names, and under - - - -	0 5 0
Ditto - 51 to 150 Names - - - -	0 10 0
Ditto - 151 to 250 Names - - - -	1 0 0
Ditto - 251 Names and upwards - - - -	1 10 0
8. For drawing out fair Copy of the Lord Lieutenant's Annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Noncommissioned Officers, Drummers, and Private Men:	
In Counties furnishing One Regiment, Battalion, or Corps - - - -	0 15 0
Ditto - - Two - - Ditto - -	1 10 0
Ditto - - Three - - Ditto - -	2 0 0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.	
Note. — This Allowance is of course only chargeable by the General Clerks of those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.	
9. For Stationery:	
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - -	2 0 0
Ditto - from 301 to 600 Men - - - -	3 0 0
Ditto - from 601 to 900 Men - - - -	4 0 0
Ditto - from 901 Men and upwards - - - -	5 0 0
10. For Copyings, Correspondence, &c. &c.	
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is 200 Men, or under - - - -	2 0 0
In a County furnishing from 201 to 400 Men - - - -	3 0 0
Ditto - from 401 to 600 Men - - - -	4 0 0
Ditto - from 601 to 800 Men - - - -	5 0 0
Ditto - from 801 Men and upwards - - - -	6 0 0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, &c. certified specially by the Lieutenantcy, whose Certificate shall state that the same were necessary and actually performed.	
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.	
TRAINING AND EXERCISE.	
12. For filling up printed Notices to the Clerks of Subdivision Meetings, of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - - -	0 0 6

13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for His Majesty's Secretary of State for the Home Department, in Counties in England and Scotland, furnishing a Quota towards the Formation of an entire Regiment or Battalion - - - -	£	s.	d.
In Counties in England, Wales, and Scotland, furnishing One Regiment, Battalion, or Corps - - - -	1	0	0
Ditto - - - Two - - - Ditto - - -	2	0	0
Ditto - - - Three - - - Ditto - - -	3	0	0
	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing the Advertisement - - - -	0	5	0
Or, for calling a Meeting by circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft) for each Letter - - - -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present, viz. For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, &c. when necessary to be done: and also, for calling out the Quota or Apportionment of the Subdivision to be trained and exercised; which Allowance shall be in full for engrossing Minutes and making up Lists - - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenants - - - -	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon ballotted Men, each Precept - - - -	0	0	6
And, for filling up printed Precepts to the Schoolmasters, Chief Constables, Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - - - -	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out			

		£	s.	d.
the Tickets for the Ballot, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in Proportion for a greater or smaller Number of Men - - - - -		2 per 1000		
18.	For making out the Annual Abstracts of Lists, Schedule (C), for the Use of the Clerk of General Meetings, where the original Quota or Appointment of the Subdivision is 50 Men and under - - - - -	2	2	0
	From 51 to 150 Men - - - - -	3	3	0
	From 151 to 250 Men - - - - -	4	4	0
	From 251 Men and upwards - - - - -	5	5	0
19.	For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County, viz.			
	For a Roll containing 50 Names, and under - - -	0	5	0
	from 51 to 150 Names - - - - -	0	10	0
	from 151 to 250 Names - - - - -	0	15	0
	from 251 Names and upwards - - - - -	1	0	0
20.	For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County, in the following Proportions, viz.			
	For a Subdivision furnishing 50 Men and under -	1	10	0
	from 51 to 150 Men - - - - -	2	0	0
	from 151 to 250 Men - - - - -	2	10	0
	from 251 Men and upwards - - - - -	3	0	0
21.	For Correspondence and Copyings to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions, viz.			
	For a Subdivision furnishing 50 Men and under -	2	0	0
	from 51 to 150 Men - - - - -	3	0	0
	from 151 to 250 Men - - - - -	4	0	0
	from 251 Men and upwards - - - - -	5	0	0
22.	The actual Amount expended for printing and publishing Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary, and actually performed.			
	The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23.	For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, &c. within the limits of the Subdivision, the various Forms of Schedules, &c.			
	For a Subdivision furnishing 50 Men and under -	0	5	0
	from 51 to 150 Men - - - - -	0	10	0
	from 151 to 250 Men - - - - -	0	15	0
	from 251 and upwards - - - - -	1	0	0

TRAINING AND EXERCISE.

£ s. d.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia :

For each Precept containing 50 Names and under	-	0	5	0
from 51 to 150 Names	- - -	0	10	0
from 151 to 250 Names	- - -	0	15	0
from 251 Names and upwards	- -	1	0	0

- And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivisions of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled, to attend the Training and Exercise of the Militia :

For each Precept containing 10 Names and under	-	0	0	6
from 11 to 30 Names	- - -	0	1	0
from 31 to 50 Names	- - -	0	2	6
from 51 to 70 Names	- - -	0	4	0
from 71 to 100 Names	- - -	0	7	0
from 100 upwards	- - -	0	10	0

25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise :

For a Roll containing 20 Names and under	- -	0	2	6
from 21 to 50 Names	- - -	0	5	0
from 51 to 150 Names	- - -	0	10	0
from 151 to 250 Names	- - -	0	15	0
from 251 and upwards	- - -	1	0	0

26. For correcting the Books of Enrolment of the Subdivision, so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain :

For a Subdivision furnishing 50 Men and under	-	0	5	0
from 51 to 150 Men	- - -	0	10	0
from 151 to 250 Men	- - -	0	15	0
from 251 and upwards	- - -	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day, consisting of Eight Hours - - -

0 5 0

28. For making out Lists, for each Folio, consisting of Sixty Lines - - - - -	£ s. d.
	0 1 0
29. For attending Meetings of Lieutenancy, each Meeting -	0 10 0
30. For filling up and delivering Notices to balloted Men, per Day - - - - -	0 5 0
31. For Stationery, per Annum - - - - -	0 5 0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day, consisting of Eight Hours - - - - -	0 4 0
33. For making out Lists, for each Folio, consisting of Sixty Lines - - - - -	0 1 0
34. For attending each Meeting of Lieutenancy, per Day -	0 4 0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day - - - - -	0 4 0
36. For Stationery, where the Lists are made out by the Constables, per Annum - - - - -	0 5 0

SPECIAL CONTINGENT ALLOWANCES, applicable to the Clerks of General and Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call a Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expences, not exceeding Nine Pence per Mile, and the Expence of Tolls and Ferry Money; but the Particulars of such Expences shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's Annual Account.
38. The Expence necessarily incurred for the Use of a Room at the Place of Meeting, to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

C A P. LI.

An Act for further amending an Act passed in the Fourth Year of His present Majesty's Reign, for the better Administration of Justice in the Equity Side of the Court of Exchequer in Ireland. [23d June 1827.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for the better Administration of Justice in the Equity Side of the Court of Exchequer in Ireland*, reciting that there were then Four Examiners at the Equity Side of the said Court of Exchequer, it was enacted, that from and after the Commencement of the said Act there should be but Two Chief Examiners at the Equity Side of the said Court, who should perform the several Duties mentioned and specified for them in the Tables in that Behalf thereto annexed; and that the said Two Examiners should be appointed by the Chief Baron of the said Court, by Deed to be by him duly executed and enrolled in the said Court; and further, that the Two first Examiners to be appointed under the Provisions of the said Act should be appointed from among the Four then Examiners of the said Court; and further,

' ther, that the said Court should report to the Lord Lieutenant,
 ' or other Chief Governor or Governors of *Ireland* for the Time
 ' being, whether in their Opinion any and what Compensation
 ' ought to be made to the Two Examiners of the said Court, and
 ' on what Ground, for any Loss which might be sustained by
 ' such Officer or Officers in consequence of the said Act or the
 ' Provisions therein contained; and that a Copy of such Report
 ' should be laid before both Houses of Parliament immediately
 ' after the Commencement of the then next Session of Parlia-
 ' ment: And Whereas *John Swift Emerson* and *Thomas Penne-*
 ' *father* were Two of the Examiners of the said Court at the Time
 ' of the passing of the said Act, and the Chief Baron having
 ' appointed the other Two Examiners of the Court to be Exa-
 ' miners under the Provisions of the said Act, the said *John Swift*
 ' *Emerson* and *Thomas Pennefather* presented a Memorial to the
 ' Chief Baron and Barons of the said Court, praying that the said
 ' Chief Baron and Barons would take the Case of them the said
 ' *John Swift Emerson* and *Thomas Pennefather* into consider-
 ' ation, and report what Compensation they ought, in the Opinion
 ' of the said Chief Baron and Barons, to have in consequence of
 ' the said Act: And Whereas the said Chief Baron and Barons
 ' of the said Court did, in and by their Report to his Excellency
 ' *Richard Marquis Wellesley*, Lord Lieutenant General and Ge-
 ' neral Governor of *Ireland*, bearing Date the Third Day of
 ' *February* One thousand eight hundred and twenty six, report
 ' their Opinion, that inasmuch as the said *John Swift Emerson* and
 ' *Thomas Pennefather* were deprived of their Office, not from any
 ' Default of theirs, but for the Advantage of the Public, the
 ' annual Sum of Two hundred Pounds to each, for their Lives re-
 ' spectively, would be a reasonable Compensation for their Loss
 ' in consequence of the said Act; and did further submit it as
 ' their Opinion, that such annual Sum should commence from
 ' the First Day of *August* One thousand eight hundred and twenty
 ' three, the Time when the said Act came into Operation, and
 ' the Period from whence the Salary for the new Examiners was
 ' appointed to commence, under an Act made in the Sixth Year
 ' of His present Majesty, for amending the said recited Act of
 ' the Fourth Year of His present Majesty: And Whereas a Copy
 ' of the said Report has been duly laid before both Houses of
 ' Parliament; Be it therefore enacted by the King's most Ex-
 ' cellent Majesty, by and with the Advice and Consent of the Lords
 ' Spiritual and Temporal, and Commons, in this present Parliament
 ' assembled, and by the Authority of the same, That from and
 ' after the passing of this Act there shall be issued and paid to
 ' each of them, the said *John Swift Emerson* and *Thomas Penne-*
 ' *father*, the several annual Sums of Two hundred Pounds during
 ' their respective Lives, yearly and every Year, out of and charged
 ' upon the Consolidated Fund of *Great Britain* and *Ireland*, after
 ' Payment of all Sums previously charged on the said Fund, such
 ' annual Sum to commence from the said First Day of *August*
 ' One thousand eight hundred and twenty three, and to be paid
 ' and payable by Four quarterly Payments in each and every Year,
 ' on every Twenty fifth Day of *March*, Twenty fourth Day of *June*,
 ' Twenty ninth Day of *September*, and Twenty fifth Day of *December*,
 ' the

The Sum of
 200*l.* per An-
 num shall be
 paid to J. S.
 Emerson and
 T. Pennefather,
 by quarterly
 Payments, and
 be charged on
 the Consolida-
 ted Fund.

the First Payment thereof to be made on the First of the said Days which shall happen next after the passing of this Act, and in proportion to the Time which shall then have elapsed from the said First Day of *August* One thousand eight hundred and twenty three; and also to the Executors of the said *John Swift Emerson* and *Thomas Pennefather* respectively, such Proportion of any such quarterly Payment as at the Time of the Decease of the said *John Swift Emerson* and *Thomas Pennefather* respectively shall be due from the Quarter Day next preceding the Time of such Decease; and in case it shall happen that either of them, the said *John Swift Emerson* and *Thomas Pennefather*, should die before the Quarter Day next after the passing of this Act, then such Proportion of the said respective Annuities as shall be due from the said First Day of *August* One thousand eight hundred and twenty three, up to the Day of the Decease of the Party so dying, shall be paid to the Executors of such Party so dying.

C A P. LII.

An Act to consolidate and amend certain Laws relating to the Revenue of Excise on Malt made in the United Kingdom; and for amending the Laws relating to Brewers in *Ireland*, and to the Allowance in respect of the Malt Duty on Spirits made in *Scotland* and *Ireland* from Malt only.

[2d July 1827.]

‘ WHEREAS it is expedient to assimilate certain of the Laws for securing the Duties of Excise on Malt in *Great Britain* and *Ireland* respectively, and to reduce and to collect the same into One Act for the United Kingdom; Be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and twenty seven, every Maltster or Maker of Malt shall make true and particular Entry in Writing of his or her Name and Place of Abode, and of every Building, Place, Cistern, Couch Frame, Kiln, and other Vessel and Utensil, by such Maltster or Maker of Malt intended to be used in or for the making or keeping of Malt, or for the keeping of Corn or Grain to be made into Malt, describing in such Entry the particular Use or Purpose for which such Building, Place, Cistern, Couch Frame, Kiln, and other Vessel and Utensil respectively, is intended to be used, at the next Office of Excise; and if any Maltster or Maker of Malt shall use any Building, Place, Cistern, Couch Frame, Kiln, or other Vessel or Utensil, in or for the making or keeping of Malt, or for the keeping of Corn or Grain to be made into Malt, without having made a true and particular Entry in Writing thereof at the next Office of Excise; or if any Maltster or Maker of Malt shall, without due Notice first given at such next Office of Excise, use any Building, Place, Cistern, Couch Frame, Kiln, or other Vessel or Utensil, for any other or different Purpose in or for the making or keeping of Malt, or for the keeping of Corn or Grain to be made into Malt, than the particular

From 10th Oct. 1827, every Maltster shall make Entry of all Places and Utensils used for making Malt, under a Penalty of 100*l.* and Forfeiture of all Malt found therein.

Use or Purpose for which the same shall have been entered; every Maltster or Maker of Malt so offending shall forfeit and lose the Sum of One hundred Pounds for every Building, Place, Cistern, Couch Frame, Kiln, and other Vessel or Utensil so used, and all the Malt, and Corn or Grain which shall be found in any such Building, Place, Cistern, Couch Frame, Kiln, or other Vessel or Utensil, shall be forfeited, and shall and may be seized by any Officer of Excise: Provided always, that any Entry made of any Building, Place, Cistern, Couch Frame, Kiln, or other Vessel or Utensil, for any more than One such particular Use or Purpose as aforesaid, shall be void to all Intents and Purposes.

Construction of Cisterns used by Maltsters for steeping above Eight Bushels at One Time.

II. And be it further enacted, That every Cistern which shall be used by any Maltster or Maker of Malt for the wetting or steeping of Corn or Grain to be made into Malt, who shall wet or steep more than Eight Bushels of Corn or Grain to be made into Malt at any One Time, shall be permanently made and constructed with the Sides and Ends thereof straight and at Right Angles to each other, and of no greater Depth in any Part thereof than Forty Inches, and having an even Bottom, with no more Inclination for the Drip than Half an Inch for every Foot in Length of such Drip; and that every such Cistern shall be placed in a Situation where the Officer gauging any Corn therein shall have sufficient Light, and shall have a clear open Space of Forty eight Inches at the least above every Part of such Cistern; and that every such Maltster or Maker of Malt shall provide for the Use of the Officers of Excise full and sufficient Means to enable such Officers easily, safely, and conveniently to have Access to and to gauge the Corn or Grain contained in such Cistern, in every Part thereof: Provided always, that every Vessel, Thing, or Place used by any Maltster or Maker of Malt, to wet or steep Corn or Grain to be made into Malt, shall for the Purposes of this Act be deemed and taken to be a Cistern.

Maltsters to obtain Certificate from Supervisors that Cisterns are duly constructed:

III. And be it further enacted, That no Cistern shall be used for the wetting or steeping of Corn or Grain to be made into Malt, by any Maltster or Maker of Malt who shall wet or steep more than Eight Bushels of Corn or Grain to be made into Malt at any One Time, which shall not be made or constructed, and placed in such a Situation, and have such full and sufficient Means provided as by this Act before directed and required; and every such Maltster or Maker of Malt, before any Corn or Grain shall by him or her be wet or steeped in any Cistern to be made into Malt, shall first obtain a Certificate in Writing from the Supervisor of Excise of the District in which such Cistern shall be situated, that he has surveyed and examined such Cistern, and that the same is made or constructed and placed in such a Situation, and has such full and sufficient Means provided as by this Act before directed and required; and if any such Maltster or Maker of Malt shall wet or steep any Corn or Grain to be made into Malt in any Cistern, without having first obtained and having such Certificate as aforesaid, or in any Cistern in which, or in the Dimensions or Situation whereof, or in the Means provided as aforesaid, any Change has been made after such Certificate has been obtained, without Notice thereof to such Supervisor as aforesaid, and a new Certificate obtained for the same in like

Steeping Corn without such Certificate shall be deemed a Wetting or Steeping without Notice.

like Manner as aforesaid, every such Maltster or Maker of Malt so offending (and notwithstanding any Entry by him or her made of such Cistern) shall be deemed to have wet and steeped such Corn or Grain to be made into Malt without Notice, and shall be liable to be sued for and to pay for every such Offence as aforesaid the Penalty by this Act imposed for wetting or steeping Corn or Grain to be made into Malt without Notice.

IV. And be it further enacted, That if any such Maltster or Maker of Malt, having obtained such Certificate from the Supervisor as by this Act before directed, shall not maintain and at all Times place and keep the Means by him or her provided, as by this Act before directed and required, and for which such Certificate shall have been obtained, or shall not aid and assist to the utmost of his or her Power, and with his or her Servants, any Officer of Excise in using such Means, so that such Officer may be thereby enabled easily, securely, and conveniently to gauge the whole of the Corn or Grain contained in any Cistern by him or her used for the wetting or steeping of such Corn or Grain to be made into Malt, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

V. And be it further enacted, That every Couch Frame which shall be used by any such Maltster or Maker of Malt shall be made or constructed with the Sides and Bottoms thereof straight and at Right Angles to each other, and having Three of such Sides permanently made or constructed, and the other Side thereof formed by moveable Boards or Planks of the Substance of Two Inches at the least in Thickness, such Couch Frame to be supported on the Outside in every Part thereof, so that the same and every Part thereof may be of sufficient Strength not to bend or curve, or fail to preserve, when filled with Corn or Grain, the same Dimensions which such Couch Frame shall have had when empty, and so that the Officer of Excise may be enabled easily and conveniently to gauge in every Part of such Couch Frame the Corn or Grain contained therein; and if any such Maltster or Maker of Malt shall use any Couch Frame in or for the making of Malt, which shall not be made or constructed as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, and all Corn or Grain which shall be found in any Couch Frame so made or constructed as aforesaid shall be forfeited, and shall and may be seized by any Officer of Excise.

VI. Provided always, and be it enacted, That no such Maltster or Maker of Malt who shall use any Cistern for the wetting or steeping of Corn or Grain to be made into Malt, or any Couch Frame in or for the making of Malt, which shall have been so used and constructed at and immediately before the passing of this Act, shall, so long as the same shall remain unaltered, and of the same Form and Dimensions as the same respectively were at and immediately before the passing of this Act, be subject or liable to any Penalty or Forfeiture by this Act imposed, for or by reason of such Cistern or Couch Frame not being made or constructed in the Form and Dimensions by this Act in that Behalf directed and required, or for or by reason of such Maltster laying any Corn or

Maltsters not keeping the requisite Means for the Use of the Officers, or not assisting them to gauge the Cisterns, to forfeit 100*l*.

Couch Frames to be constructed as specified, under Penalty of 100*l*. and Forfeiture of Malt found therein.

No Penalty for using Cisterns and Couch Frames in use before the passing of this Act, if the same shall remain unaltered.

Grain in any such Cistern of any greater Depth in any Part thereof than Forty Inches, or for or by reason of such Maltster laying any Corn or Grain in any such Couch Frame of any greater Depth in any Part thereof than Thirty Inches, if such Couch Frame, as the same shall have been used and constructed at and immediately before the passing of this Act, shall not be of sufficient Size to contain the Corn or Grain emptied from the Cistern, without the same being laid therein a greater Depth than Thirty Inches, and such Couch Frame cannot, without enlarging such Malthouse, or other Cause shown to the Satisfaction of the Commissioners of Excise in *England*, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland*, be made of such sufficient Size as aforesaid (such Cause and Satisfaction being stated in the Certificate of the Supervisor hereinbefore mentioned): subject nevertheless, in all other respects, to the several Rules, Regulations, and Provisions by this Act imposed.

Officers may enter Buildings used by Maltsters, gauge Vessels, &c. and take Account of Grain and Malt, and make a Return, which shall be a Charge of Duty, leaving a Copy thereof if required.

VII. And be it further enacted, That it shall be lawful for any Officer of Excise, and any Person or Persons in his Aid or Assistance, at any Time, either by Night or Day, to enter into and remain so long as such Officer may think fit, for the Purposes hereinafter mentioned, in any Building or Place belonging to or used by any Maltster or Maker of Malt for the making or keeping of Malt, or for the keeping of Corn or Grain to be made or making into Malt, and to gauge all Vessels and Utensils therein used by any such Maltster or Maker of Malt for the wetting or steeping of Corn or Grain to be made into Malt, and to examine, gauge, or measure and take Account of all Corn or Grain in any such Building or Place, whether such Corn or Grain shall be in a State of Operation for the making of Malt or otherwise, and also of all Malt that shall be in any such Building or Place; and it shall be lawful for such Officer, and he is hereby authorized and required to charge the Duty imposed by any Act or Acts relating to the Revenue of Excise on Malt, upon all Malt made, or Corn or Grain making into Malt, by such Maltster or Maker of Malt, found therein, and of such Account and Charge of Duty to make a Return or Report in Writing to the Commissioners of Excise, or to the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland*, or to such Person as the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, may direct; such Officer, in all Cases where the Minutes of the Entries made by him in taking such Account shall not appear on the Book or Paper called the Specimen left at the entered Premises of such Maltster or Maker of Malt, giving (if Demand be made thereof in Writing at the Time of taking such Account) a true Copy of such Charge, in Writing under his Hand, to such Maltster or Maker of Malt; and any such Return or Report of such Officer as aforesaid shall be and shall be taken to be a Charge of such Duty upon the Maltster or Maker of Malt.

Specimen to be kept by the Officers on the Premises of Maltsters, and not to be re-

VIII. And be it further enacted, That the Supervisor or Surveyor of Excise in whose District or Division any Maltster or Maker of Malt shall be, or the Officer of Excise under whose Survey such Maltster or Maker of Malt shall be, may leave and deposit in some conspicuous and open Part of some Building or Place

Place entered by such Maltster or Maker of Malt, a certain Book or Paper called a Specimen, for recording therein Minutes of the Entries made by the Officers respectively who survey the Premises of such Maltster or Maker of Malt, in the Books of such Officers, of the State of the Manufactory, and of the Accounts and Particulars of the Survey thereof at any Time taken by such Officers respectively, and the Names and Minutes of Survey and Observations of any other Officer who may visit or inspect such entered Premises; and every Officer of Excise shall at all Times have free Access to such Book or Paper, with Liberty and Power to remove or take away the same, leaving a new Book or Paper, for the like Purpose as aforesaid, in lieu thereof; and if any Maltster or Maker of Malt, or other Person, not being an Officer of Excise, shall remove or take away, or shall conceal or withhold any such Book or Paper, or shall damage or destroy the same, or alter, deface, or obliterate any Entry therein, or shall make any Entry therein, every such Maltster or Maker of Malt, or other Person, so offending, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

moved or destroyed, or the Entries therein obliterated.

IX. And be it further enacted, That if any Maltster or Maker of Malt, or other Person, shall resist, oppose, molest, obstruct, or hinder any Officer of Excise, or any Person employed in the Revenue of Excise, or acting in the Aid and Assistance of any Officer or Person so employed, in the due Execution of his Office or Duty, or in the Execution of any of the Powers or Authorities by this Act given or granted to such Officer or Person so employed, every Maltster or Maker of Malt, or other Person, so offending, shall for every such Offence forfeit and lose the Sum of Three hundred Pounds.

Penalty on obstructing Officers of Excise, or Persons acting in their Aid.

X. And be it further enacted, That there shall be delivered by the proper Officer of Excise to every Maltster or Maker of Malt, a Book, prepared for such Purposes as hereinafter mentioned, called a Barley Book, to be kept by such Maltster or Maker of Malt in some public and open Part of his or her entered Premises, for the Inspection of the Officers of Excise; and every Maltster or Maker of Malt shall, on the same Day on which any Barley shall be taken or received into the Custody or Possession of such Maltster or Maker of Malt, or into the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, enter in a Book so delivered as aforesaid, and in the proper Columns prepared for such Purposes respectively, a true and particular Account of the Number of Bushels of Barley which shall be so taken or received into such Custody or Possession respectively as aforesaid, together with the Christian and Surname and Place of Abode of the Person or Persons from whom such Barley shall have been so taken or received, and the Day of its being so taken or received; and every Maltster or Maker of Malt shall, within Three Hours after any Corn or Grain shall have been covered with Water, for the Purpose of wetting or steeping the same to be made into Malt, enter in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, a true and particular Account of the Quantity of Barley in Bushels so wetted or steeped, and shall enter against and immediately opposite to every such Entry the particular Day and Hour

A Barley Book to be delivered to and kept by every Maltster, for the Purpose of entering therein all Barley received, wetted, and sent out by him, under Penalty of 100*l*.

Hour of the Day on and at which such Barley was so wetted or steeped; and every Maltster or Maker of Malt, who shall sell, remove, or otherwise dispose of any Barley, shall, on the same Day on which any such Barley shall be sold, removed, or otherwise disposed of, enter in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, a true and particular Account of the Quantity of Barley in Bushels so sold, removed, or otherwise disposed of, and the Name and Place of Residence of the Person or Persons to whom any such Barley shall have been so sold, removed, or otherwise disposed of; and if any Maltster or Maker of Malt shall neglect or refuse to make any such Entry as aforesaid, or shall not keep such Book as aforesaid, or shall convey away or conceal the same, or shall destroy or tear out any Leaf thereof, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, or shall refuse to permit any Officer of Excise to inspect such Book, or to make any Minute therein, as to such Officer shall seem meet, or to remove or take away such Book, leaving a new Book, for the like Purpose as aforesaid, in lieu thereof, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds: Provided always, that nothing hereinbefore contained shall be deemed or construed to extend to Barley in the Straw and unthreshed, in the Custody or Possession of any Maltster or Maker of Malt, or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, so as such Barley, when threshed, be thereupon entered in the Barley Book, as Barley then taken and received into the Custody or Possession of such Maltster or Maker of Malt, and subject to the Provisions of this Act.

Proviso as to Barley in the Straw.

Stocks of Barley or Malt in separate Places may be kept as distinct Stocks.

XI. And be it further enacted, That if any Maltster or Maker of Malt shall lodge, store, or deposit any Barley or Malt in different Buildings or Places which shall not be under the same Roof, or have any internal Communication between them, the Supervisor of Excise under whose Survey such Barley or Malt shall be, shall, if he shall deem it expedient so to do, take the same as separate and distinct Stocks, and such Stocks shall and may in such Case be surveyed and kept Account of by the Officers of Excise accordingly, in the same Manner as if the same had belonged to different Persons.

*Within Ten Days after 5th July, yearly, Maltsters to deliver to Officers an Account of all Barley not in operation, and show the same, if required so to do, under Penalty of 100*l*.*

XII. And be it further enacted, That every Maltster or Maker of Malt, within Ten Days after the Fifth Day of July in every Year, shall deliver to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, a true and particular Account, in Writing, of all Barley which shall not at such Time be in actual Operation or Process of making into Malt, in the Custody or Possession of such Maltster or Maker of Malt, or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, describing in every such Account the particular Building or Place in which such Barley shall be lodged, stored, or deposited, and the Number of Bushels of such Barley contained in each such Building or Place; and every such Maltster or Maker of Malt shall, if required by any Officer of Excise, show to such Officer every such Building

Building or Place, and all such Barley which shall be therein respectively contained; and if any Maltster or Maker of Malt shall neglect or refuse to deliver such Account as aforesaid, or shall deliver any false or untrue Account in such Behalf as aforesaid, or shall neglect or refuse to show to any such Officer as aforesaid any such Building or Place, or any such Barley as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XIII. And be it further enacted, That every Maltster or Maker of Malt, when and so soon as he or she shall have finished or dried off all the Malt which shall be or shall have been in operation or process of Making into Malt in any particular Malthouse of and belonging to such Maltster or Maker of Malt, and also within Twenty four Hours at the least before such Maltster or Maker of Malt shall again begin to wet or steep Corn or Grain to be made into Malt in such Malthouse, deliver to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, a true and particular Account in Writing of all the Barley which shall then be in the Custody or Possession of such Maltster or Maker of Malt, or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, describing in every such Account the particular Building or Place in which such Barley shall be lodged, stored, or deposited, and the Number of Bushels of such Barley contained in each such Building or Place; and every such Maltster or Maker of Malt shall, if required by any Officer of Excise, show to such Officer every such Building or Place, and the Barley therein respectively contained; and if any such Maltster or Maker of Malt shall neglect or refuse to deliver such Account as aforesaid, or shall deliver any false or untrue Account in such Behalf as aforesaid, or shall neglect or refuse to show to any such Officer as aforesaid any such Building or Place, or any such Barley as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

XIV. And be it further enacted, That every Maltster or Maker of Malt shall, when and so often as he or she shall be thereunto required by any Officer of Excise, level and cast or place the Barley in the Custody or Possession of such Maltster or Maker of Malt, or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, which shall not then be in actual Operation or Process of making into Malt, into such regular Form as may enable the Officer of Excise conveniently to gauge and ascertain the true Quantity thereof; and if any Maltster or Maker of Malt, being thereunto required as aforesaid, shall neglect or refuse so to do, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XV. And be it further enacted, That it shall be lawful for any Officer of Excise to gauge and take an Account of all Barley in the Stock, Custody, or Possession of any Maltster or Maker of Malt, or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt; and

Whenever the Barley in operation in a Malthouse shall be all dried off, a like Account to be given, and also 24 Hours before beginning to wet again, under Penalty of 50*l*.

Maltsters, when required, to place their Barley not in operation in such Form that the Officer may conveniently gauge the same, under Penalty of 100*l*.

Officers of Excise may gauge and take an Account of all Barley in the Stock of any

Maltster, who shall be permitted to enter up his Barley Book to the Time of taking such Account.

If an Excess be found above One in Twenty, the Maltster to be deemed to have received Barley without entering it.

If Deficiency exceed One in Twenty, the Maltster to be deemed to have wetted Barley without entering it, and to be charged with Duty in respect thereof, over and above the Penalty.

In case of Dispute as to the Quantity of Barley in Stock, it may be measured in the Presence of the Officer.

and every such Maltster or Maker of Malt shall, before the taking of such Account, be permitted to enter in the Barley Book all Barley which shall have been taken or received into the Custody or Possession of such Maltster or Maker of Malt, or into or in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, and all Barley which shall have been sold, removed, or otherwise disposed of on the same Day, and before the taking of such Account, and all Barley which shall have been wetted or steeped to be made into Malt within Three Hours next before the taking of such Account.

XVI. And be it further enacted, That if upon gauging and taking such Account as aforesaid the Quantity of Barley (not in actual Operation for the making of Malt) shall be found to exceed the Quantity which the Maltster or Maker of Malt ought to have had in his or her Stock, Custody, or Possession, and in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, according to the Barley Book, in the Proportion of One Bushel in every Twenty Bushels of Barley, then and in every such Case every such Maltster or Maker of Malt shall be deemed and adjudged to have taken or received Barley into his or her Custody or Possession, and to have neglected and refused to make such Entry thereof as is by this Act in that Behalf directed and required.

XVII. And be it further enacted, That if upon gauging and taking such Account as aforesaid the Quantity of Barley (not in actual Operation for the making of Malt) shall be found short of or less than the Quantity which the Maltster or Maker of Malt ought to have had in his or her Stock, Custody, or Possession, and in the Custody or Possession of any Person or Persons in Trust for or to the Use of such Maltster or Maker of Malt, according to the Barley Book, in the Proportion of One Bushel in every Twenty Bushels of Barley, then and in every such Case every such Maltster or Maker of Malt shall be deemed and adjudged to have wetted and steeped Barley to be made into Malt, and to have neglected and refused to make such Entry thereof as is by this Act in that Behalf directed and required; and every such Maltster or Maker of Malt shall in every such Case, over and above the Penalty by this Act imposed for such Neglect and Refusal as aforesaid, be charged with and be liable to pay the Duty chargeable on Malt for every Bushel of Barley so found deficient as aforesaid; and such Duty shall and may be sued for, levied, and recovered by such and the like Ways, Means, and Methods, and under such and the like Penalties as the Duty on Malt is or may be sued for, levied, and recovered by any Law or Laws in force relating to the Duties of Excise.

XVIII. And be it further enacted, That if upon gauging or taking such Account as aforesaid any Dispute shall arise between the Maltster or Maker of Malt and the Officer of Excise, respecting the true Quantity of Barley (not in actual Operation for the making of Malt) as aforesaid, such Maltster or Maker of Malt shall be allowed immediately, and with all due Diligence and Dispatch, to measure the same in the Presence of such Officer, by a just and correct Bushel Measure, as prescribed by Law, to be provided by such Maltster or Maker of Malt, and the Quantity ascer-

ascertained by such Admeasurement shall be taken to be the true Quantity of such Barley; any thing in this Act to the contrary thereof notwithstanding.

XIX. And be it further enacted, That upon the Trial or Hearing of any Information for the Recovery of any Duty or Penalty for or on account of any Deficiency or Excess in the Quantity of Barley in the Stock or Stocks of any Maltster or Maker of Malt, according to this Act, it shall be lawful for the Defendant or Defendants upon such Prosecution to prove that such Deficiency was actually and *bond fide* occasioned by Barley having been stolen or privately conveyed away without the Knowledge, Privity, or Consent of such Defendant or Defendants, or that such Deficiency or Excess respectively was occasioned by accidental or unintentional Error or Mistake in entering and keeping the Barley Book, without any Design or Intention of Fraud or Evasion of the Provisions of this Act; and in case the Court and Jury, or the Commissioners of Excise, or Justices of the Peace, before whom any such Information shall be tried or heard, shall be satisfied of the Truth of such Evidence, and that the same does account for such Deficiency or Excess, it shall be lawful for such Court and Jury, or Commissioners of Excise, or Justices of the Peace, to acquit the Defendant or Defendants of such Duty or Penalty; any thing in this Act to the contrary thereof notwithstanding.

XX. And be it further enacted, That every Maltster or Maker of Malt, before beginning to wet or steep any Corn or Grain to be made into Malt, shall give to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, Twenty four Hours Notice at least, in Writing, if the Malthouse of such Maltster or Maker of Malt shall be situated in any City, or in the Suburbs of any City, or in any Market Town, and Forty eight Hours Notice at least, in Writing, if such Malthouse shall not be so situated, of the Day and particular Hour of the Day when such Maltster or Maker of Malt intends to wet or steep Corn or Grain to be made into Malt, and of the Quantity of Corn or Grain in Bushels to be then wet or steeped; and if any Maltster or Maker of Malt shall begin to wet or steep any Corn or Grain to be made into Malt, without giving such Notice as aforesaid, or shall wet or steep any greater or less Quantity of Corn or Grain (exceeding the Proportion of One in Twenty) than the Quantity of Corn or Grain expressed in such Notice, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and in case any Maltster or Maker of Malt shall not, pursuant to any such Notice as aforesaid, begin to wet or steep the Corn or Grain mentioned in such Notice, and cover the whole thereof with Water, at the Day and Hour mentioned in such Notice, or within Three Hours next after the Expiration of such Hour, every such Notice shall be and is hereby declared to be null and void; and every such Maltster or Maker of Malt, before he shall begin to wet or steep such Corn or Grain, shall give fresh Notice thereof, according to the Provisions of this Act, under Pain of such Penalty as last aforesaid: Provided always, that no Maltster or Maker of Malt shall be subject to the said last-mentioned Penalty, for or by reason of his or her wetting

On Informations for the Recovery of any Duty or Penalty on account of Deficiency or Excess in Stock, Proof may be adduced that Barley was stolen, or that Accident or Error was the Cause.

24 Hours Notice to be given of wetting Corn at a Malthouse situated in a City or Market Town, and 48 Hours elsewhere, under Penalty of 100*l*.

Notice to be void if not duly proceeded on.

Exceptions.

wetting or steeping any less Quantity of Corn or Grain than the Quantity of Corn or Grain expressed in such Notice as aforesaid, if such Maltster or Maker of Malt shall be prevented from wetting or steeping the Quantity of Corn or Grain expressed in such Notice by Want of Barley, and shall give Notice thereof to the proper Officer of Excise, by entering, with such Wetting or Steeping, in the Barley Book, the Cause and Extent of such Prevention as aforesaid: Provided also, that no Maltster or Maker of Malt shall be subject to the said last-mentioned Penalty for or by reason of his or her wetting or steeping any greater or less Quantity of Corn or Grain, exceeding the Proportion aforesaid, than the Quantity of Corn or Grain expressed in such Notice as aforesaid, if such Maltster or Maker of Malt shall show, to the Satisfaction of the Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, that the same occurred by Accident or Oversight, and without intentional Disregard of any of the Provisions of this Act in that Behalf contained.

Hours of wetting of Corn.

Penalty, 100*l*.

Maltsters giving Notice to steep Corn 65 Hours, must begin to wet between 8 in the Evening and 11 at Night, under Penalty of 100*l*.

Corn in the Cistern to be kept covered with Water not exceeding 55 nor less than 40 Hours, under Penalty of 100*l*.

XXI. And be it further enacted, That it shall not be lawful for any Maltster or Maker of Malt to begin to wet or steep any Corn or Grain to be made into Malt at any other Time than between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon; and if any Maltster or Maker of Malt shall begin to wet or steep any Corn or Grain to be made into Malt at any other Time than as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXII. Provided always, and be it enacted, That it shall be lawful for any Maltster or Maker of Malt, who shall give such further Notice of his or her Intention to continue the Corn or Grain by him or her to be wet or steeped covered with Water for the Space of Sixty five Hours, as hereafter mentioned, to begin to wet or steep such Corn or Grain to be made into Malt at any Time between the Hours of Eight of the Clock in the Evening and Eleven of the Clock at Night; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall begin to wet or steep any such Corn or Grain as aforesaid, to be made into Malt, at any other Time than as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXIII. And be it further enacted, That every Maltster or Maker of Malt shall continue the Corn or Grain by him or her wet or steeped in the Cistern to be made into Malt, covered with Water for a Space of Time not exceeding Fifty five and not less than Forty Hours from the Time of such Corn or Grain being first wet or steeped; and if any Maltster or Maker of Malt shall continue such Corn or Grain, or any Part thereof, covered with Water for any Space of Time exceeding Fifty five Hours, or shall drain or draw off the Water from any such Corn or Grain before the Expiration of Forty Hours from the Time of such Corn or Grain being first wet or steeped, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXIV. Pro-

XXIV. Provided always, and be it enacted, That where any Maltster or Maker of Malt shall intend to continue the Corn or Grain to be wet or steeped covered with Water for the Space of Sixty five Hours, every such Maltster or Maker of Malt shall, in the Notice in Writing by him or her required to be given to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, of the Day and particular Hour of the Day when such Maltster or Maker of Malt shall intend to wet or steep Corn or Grain to be made into Malt, and of the Quantity of Corn or Grain in Bushels to be then wet or steeped, give further Notice that it is his or her Intention to continue the same covered with Water for the Space of Sixty five Hours from the Time of such Corn or Grain being first wet or steeped; and every such Maltster or Maker of Malt shall in such Case continue such Corn or Grain covered with Water for and until the Expiration of Sixty five Hours as aforesaid; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall not continue such Corn or Grain covered with Water for and until the Expiration of Sixty five Hours as aforesaid, or shall continue the same covered with Water for any Time after the Expiration of Sixty five Hours as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXV. Provided always, and be it enacted, That it shall be lawful for any Maltster or Maker of Malt, between the first Day of *March* and the First Day of *November* in every Year, to drain or draw off the Water once from any Corn or Grain by him or her wet or steeped in the Cistern to be made into Malt, before the Expiration of the Time for which Corn or Grain is by this Act required to be kept covered with Water, without incurring any Penalty for so doing, provided such Maltster or Maker of Malt shall, in the Notice by him or her given of his or her Intention to wet or steep such Corn or Grain to be made into Malt by this Act before required, express his or her Intention to drain or draw off the Water from such Corn or Grain as aforesaid, and the particular Day and Hour of the Day, between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon, when such Maltster or Maker of Malt shall intend so to do; provided always, that such Corn or Grain be again completely covered with Water before the Expiration of One Hour from the Time of the Water being begun to be drained or drawn off as aforesaid; any thing hereinbefore contained to the contrary thereof notwithstanding.

XXVI. And be it further enacted, That if any Maltster or Maker of Malt shall add any Corn or Grain to the Corn or Grain wet or steeped in any Cistern to be made into Malt after the Officer of Excise shall have taken an Account thereof, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

XXVII. And be it further enacted, That it shall not be lawful for any Maltster or Maker of Malt to empty or take any Corn or Grain from or out of the Cistern at any other Time than between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; and if any Maltster or Maker of Malt shall

Maltster, having given Notice of their Intention to steep 65 Hours, must continue their Corn in steep for such Time and no longer, under a Penalty of 100*l*.

Between 1st March and 1st November, Water may be once drained during the steeping, upon due Notice being given, provided the Corn be again covered within an Hour.

No Corn to be added to that in steep after the Account has been taken, under Penalty of 200*l*.

Corn to be emptied only between 7 in the Morning and 4 in the Afternoon, un-

der Penalty of 100*l*.

Maltsters, having given Notice to steep for 65 Hours, may empty such Corn only between 1 in the Forenoon and 4 in the Afternoon, under Penalty of 100*l*.

All Cisterns in the same House to be emptied at the same Time, or within Three Hours from the Time of beginning to empty any One of them, on Penalty of 200*l*.

Penalty on taking Corn out of any Cistern within 96 Hours of the last emptying of any Cistern under the same Roof, 200*l*.

Proviso.

shall empty or take any Corn or Grain from or out of the Cistern at any other Time than aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXVIII. Provided always, and be it enacted, That it shall not be lawful for any Maltster or Maker of Malt, who shall have given such further Notice of his or her Intention to continue the Corn or Grain by him or her wet or steeped, covered with Water for the Space of Sixty five Hours, as before mentioned, to empty or take such Corn or Grain, or any Part thereof, from or out of the Cistern, at any other Time than between the Hours of One of the Clock in the Forenoon and Four of the Clock in the Afternoon; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall empty or take such Corn or Grain as aforesaid, or any Part thereof, from or out of the Cistern at any other Time than aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

XXIX. And be it further enacted, That if any Maltster or Maker of Malt shall, in any Building or Place, or in any Buildings or Places, having the same Roof or any internal Communication between them, use more than One Cistern at the same Time for wetting or steeping any Corn or Grain to be made into Malt, every such Maltster or Maker of Malt shall empty or take all the Corn or Grain from and out of all such Cisterns at One and the same Time; and if any such Maltster or Maker of Malt shall empty or take any Corn or Grain from or out of any such Cisterns at different Times, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds: Provided always, that nothing hereinbefore contained shall be deemed or construed to extend to subject any Maltster or Maker of Malt to the said last-mentioned Penalty for or by reason of his or her emptying or taking Corn or Grain from or out of any Two or more Cisterns at different Times of the same Day, if the emptying or taking of the Corn or Grain from or out of the last of such Cisterns shall be finished within Three Hours from the Time of beginning to empty or take the Corn or Grain from or out of the first of such Cisterns.

XXX. And be it further enacted, That it shall not be lawful for any Maltster or Maker of Malt to empty or take any Corn or Grain from or out of any Cistern in any Building or Place, or in any Buildings or Places, having the same Roof or any internal Communication between them, until the Expiration of Ninety six Hours from the Time of the last preceding emptying or taking of Corn or Grain from or out of any Cistern therein; and if any Maltster or Maker of Malt shall empty or take any Corn or Grain from or out of any such Cistern until the Expiration of such Time as last aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds: Provided always, that such Maltster or Maker of Malt shall not be liable to any such Penalty as last aforesaid for or by reason of his or her emptying or taking any Corn or Grain from or out of any such Cistern as aforesaid before the Expiration of such Ninety six Hours, if such Corn or Grain be so emptied

emptied or taken out on the Day on which such Ninety six Hours shall expire, and not before Seven of the Clock of the Morning of such Day.

XXXI. And be it further enacted, That if any Maltster or Maker of Malt shall take or convey away from the Cistern any Corn or Grain making into Malt, so that no Gauge thereof can be taken by the Officer of Excise in the Couch Frame, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty on so conveying Corn from Cistern that it cannot be gauged in Couch Frame.

XXXII. And be it further enacted, That every Maltster or Maker of Malt who shall empty or take any Corn or Grain from or out of the Cistern, shall empty all such Corn or Grain into a Couch Frame or Frames entered by such Maltster or Maker of Malt; and that it shall be lawful for any Maltster or Maker of Malt who shall use more than One Cistern at the same Time, for the wetting or steeping of Corn or Grain to be made into Malt, in any Building or Place, or in any Buildings or Places, having the same Roof or any internal Communication between them, to empty the Corn or Grain from or out of any Two or more of such Cisterns into One and the same entered Couch Frame, to be taken an Account of by the Officer therein and thenceforth as One and the same Wetting or Steeping; and all Corn or Grain emptied into such Couch Frame or Frames as aforesaid, shall be laid flat and level therein by the Maltster or Maker of Malt, and of no greater Depth, except as in that Behalf is in this Act before excepted, in any such Couch Frame or Frames than Thirty Inches in any Part thereof; and when any Corn or Grain shall be so emptied between the First Day of *March* and the First Day of *December* in any Year, such Corn or Grain shall be kept and continued so laid in the Couch Frame or Frames into which such Corn or Grain shall have been emptied, for the Space of Twenty six Hours from the Time of being emptied, or taken from or out of the Cistern or Cisterns; and when any Corn or Grain shall be so emptied at any other Time of the Year than as aforesaid, such Corn or Grain shall be kept and continued so laid in the Couch Frame or Frames into which such Corn or Grain shall have been emptied for the Space of Thirty Hours from the Time of its being so emptied, or taken from or out of the Cistern or Cisterns; and all Corn or Grain making into Malt during such respective Periods of Time as aforesaid, shall be deemed and taken to be in Couch; and if any Maltster or Maker of Malt who shall empty or take any Corn or Grain from or out of any Cistern or Cisterns, shall not empty all such Corn or Grain into such Couch Frame or Frames entered by such Maltster or Maker of Malt, or shall not lay the same flat and level in such Couch Frame or Frames as aforesaid, or shall lay the same therein to any greater Depth than Thirty Inches in any Part thereof, or shall not keep or continue all Corn or Grain in the Couch Frame or Frames into which the same shall have been emptied for such Period of Time respectively as aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Maltsters to empty all Grain from the Cisterns into the Couch Frames.

Grain to be levelled therein and not to be of greater Depth than 30 Inches. Time that such Grain shall lie in the Couch Frames.

XXXIII. And be it further enacted, That if any Maltster or Maker of Malt shall tread or force together any Corn or Grain

Penalty, 100*l*.

Penalty on treading or forcing together

ther Corn in the Cistern or Couch Frame.

making into Malt in the Cistern or Couch Frame, or if any Corn or Grain making into Malt shall be found in any Cistern or Couch Frame so hard, close, and compact as it could not have been unless the same had by some Means or other been trodden or forced together therein, every Maltster or Maker of Malt who shall tread or force together such Corn or Grain as aforesaid, or in whose Cistern or Couch Frame such Corn or Grain shall be found so hard, close, and compact as aforesaid, shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Officers suspecting Corn or Grain to have been forced together in the Cistern or Couch Frame, may turn it over and lay it level again therein.

XXXIV. And be it further enacted, That if any Officer of Excise shall have reason to believe, or shall suspect that the Corn or Grain making into Malt in any Cistern or Couch Frame has been trodden or forced together, it shall be lawful for such Officer, and any Person or Persons in Aid and Assistance of such Officer, in the Presence of the Maltster or Maker of Malt, or of his or her Servant, if such Maltster or Servant shall think fit to be present, to turn over all such Corn or Grain, either by throwing all such Corn or Grain from and out of the Cistern or Couch Frame, and returning the same into the Cistern or Couch Frame from which it shall have been thrown, and laying the same level again therein, or by turning over all such Corn or Grain in such Cistern or Couch Frame, and laying the same level again therein, or by throwing out any Part of such Corn or Grain from such Cistern or Couch Frame, and turning over so much thereof as shall be left remaining therein, and returning so much of such Corn or Grain as shall have been thrown out into the Cistern or Couch Frame from which the same shall have been thrown, and laying the whole of such Corn or Grain level again in such Cistern or Couch Frame, as to such Officer shall seem fit; and every Maltster or Maker of Malt, together with his or her Servants, shall give such Aid and Assistance to such Officer, and to such Person or Persons as aforesaid, in such Behalf as aforesaid, as such Officer or other Person may request; and if any Increase shall be found in the Gauge or Quantity of such Corn or Grain, after being turned over and laid level again in the Cistern or Couch Frame in any such Manner as aforesaid, over and above the former Gauge, in any greater Proportion than that of One Bushel in every Twenty Bushels, of such Corn or Grain, the Increase so found as aforesaid shall be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together; and if any Maltster or Maker of Malt shall refuse to aid and assist any Officer of Excise, or any Person or Persons acting in Aid and Assistance of such Officer as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds: Provided always nevertheless, that it shall be lawful to prove by any other or indifferent Evidence than that above mentioned, that such Corn or Grain had been trodden or forced together.

What Increase shall be conclusive Evidence of forcing.

Maltster to assist the Officer, if required, under Penalty of 100*l*.

Penalty on sprinkling or wetting Corn before it has been 12 Days out of the Cistern.

XXXV. And be it further enacted, That if any Maltster or Maker of Malt shall wet, water, or sprinkle any Corn or Grain making into Malt, before the Expiration of Twelve Days, or Two hundred and eighty eight Hours, after the same shall have been emptied or taken from or out of the Cistern, every Maltster or Maker

Maker of Salt † so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds. † *Sic.*

XXXVI. And be it further enacted, That it shall not be lawful for any Maltster or Maker of Malt at One and the same Time to have more than Five Floors or Quantities of Corn or Grain making into Malt, in the Couch Frame, or on the Floor or Kiln, or all or any of them, wetted or steeped in and arising from, or pretended to have been wetted or steeped in and to have arisen from, or denoted by its Place of Deposit in the Malthouse to have been wetted or steeped in and to have arisen from One and the same Cistern, or One or more Cisterns emptied into One and the same Couch Frame; and if any Maltster or Maker of Malt shall at One and the same Time have more than Five Floors or Quantities of Corn or Grain making into Malt as aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds: Provided always, that nothing hereinbefore contained shall extend or be deemed or construed to extend to subject any Maltster or Maker of Malt to the said last-mentioned Penalty for or by reason of his or her separating or dividing any One or more of his or her Floors or Quantities of Corn or Grain making into Malt, either into Two or more Pieces, for the Purpose of working such Pieces separately and apart from each other, in the same Malthouse in which such Floors or Quantities of Corn or Grain making into Malt respectively shall have been wet or steeped, or for or by reason of any such Maltster or Maker of Malt separating or dividing the oldest of his or her Floors or Quantities of Corn or Grain making into Malt, for the sole Purpose of removing the same to the Kiln to be immediately dried thereon.

No Maltster to have more than Five Floors, including the Couch Frame and Kiln, from One Cistern, or One or more Cisterns emptied into the same Couch Frame, under Penalty of 200*l*.

Floors may be divided for working separately, or the oldest one for carrying to the Kiln.

XXXVII. And be it further enacted, That every Maltster or Maker of Malt shall deposit and leave all such Floors or Quantities of Corn or Grain making into Malt, so that the Sides or outward Edges thereof shall be in straight Lines, and shall level and lay the same in regular Succession one before the other, according to the Seniority in Age of such Floors or Quantities of Corn or Grain making into Malt upon the Floor or Floors of the Malthouse of such Maltster or Maker of Malt; and if any Maltster or Maker of Malt shall not deposit and leave any such Floor or Quantity of Corn or Grain making into Malt so as aforesaid, or if the Maltster or Maker of Malt, or any of his Servants, being present at the Survey thereof by any Officer, shall not, on the Request of such Officer, forthwith put the Sides or outward Edges of any Floor or Quantity of Corn or Grain making into Malt in straight Lines, or shall not level or lay the same as aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Floors to be in regular Forms, and levelled and laid in Succession, according to Seniority of Age, under Penalty of 100*l*.

XXXVIII. And be it further enacted, That if any Maltster or Maker of Malt shall mix, either on the Floor or on the Kiln, any Corn or Grain of One Wetting or Steeping, with or amongst any Corn or Grain of another or different Wetting or Steeping, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty on mixing Corn of different Steepings.

XXXIX. And be it further enacted, That if any Maltster or Maker of Malt shall wet, water, sprinkle, or damp any Malt after

Penalty on wetting or damping Malt

after taken from
the Kiln.

the same shall have been taken or thrown off the Kiln, and before such Malt shall be delivered into the Custody or Possession of the Brewer or other Person who shall have purchased the same, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty on
fraudulently
depositing,
concealing, or
conveying
away Malt.

XL. And be it further enacted, That if any Maltster or Maker of Malt, or other Person, shall fraudulently deposit, conceal, or convey away from the Sight of the Officers of Excise, any Malt or Corn or Grain making into Malt, every Maltster or Maker of Malt, or other Person, so offending, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all such Malt, or Corn or Grain making into Malt, so fraudulently deposited, concealed, or conveyed away as aforesaid, shall be forfeited, and shall and may be seized by any Officer of Excise.

Penalty for
removing or
receiving Malt
before Ac-
count taken and
Duties
charged.

XLI. And be it further enacted, That if any Maltster or Maker of Malt shall remove, carry, or send away any Malt from the Building or Place where the same shall have been made, before such Malt shall have been taken an Account of and charged with Duty by the proper Officer of Excise, or if any Person shall receive or have in his or her Custody or Possession any Malt so removed, carried, or sent away as aforesaid, knowing the same to have been so removed, carried, or sent away, every Maltster or Maker of Malt, or Person so offending, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all the Malt so removed, carried, or sent away as aforesaid, shall be forfeited, and shall and may be seized by any Officer of Excise.

When Malt is
charged by
Gauge while
in Operation,
certain Allow-
ances to be
made.

XLII. And be it further enacted, That whenever the Duty upon Malt shall be charged by Gauge of the Corn or Grain taken while the same is in a State of Operation, or in Process of making into Malt, such Allowances shall be made upon such Gauges as are hereinafter mentioned; upon every Gauge thereof taken by the Officer of Excise in the Cistern wherein the Corn or Grain is wetting or steeping to be made into Malt, or in the Couch Frame into which the Corn or Grain shall have been emptied, during the Period respectively for which Corn or Grain is by this Act before required to be kept and continued in such Cistern and Couch Frame respectively, an Allowance shall be made by such Officer of One Fifth Part of the whole Quantity of the Corn or Grain so found by such Gauge; and upon every Gauge taken by the Officer of Excise of such Corn or Grain on the Floor, after the Expiration of such Periods of Time respectively as aforesaid, and before the Expiration of Ninety six Hours from the Time when such Corn or Grain was emptied or taken from or out of the Cistern, an Allowance shall be made by such Officer of One Third Part of the whole Quantity of the Corn or Grain so found by such Gauge as last aforesaid; and upon every Gauge afterwards taken by the Officer of Excise of such Corn or Grain before the same shall be dried off upon and removed from the Kiln, an Allowance shall be made by such Officer of One Half of the whole Quantity of such Corn or Grain so found by such Gauge as last aforesaid; and the Duty of Excise upon Malt, when charged upon the Corn or Grain in a State of Operation, or in Process of making into Malt as aforesaid, shall be charged upon the best of the several Gauges so taken as aforesaid, after such Allowances shall have been

been so made thereon respectively as before mentioned: Provided always, that it shall be lawful for any Officer of Excise to take an Account of all the Malt made by any Maltster or Maker of Malt, after the same shall have been taken or thrown off from the Kiln, and whilst the same shall remain in the Custody or Possession of the Maltster or Maker thereof; and if, upon taking such Account as last aforesaid, such Officer shall find the Quantity of Malt so taken Account of to exceed the Quantity before charged with Duty according to the best Gauge thereof when taken in Operation as aforesaid, such Officer shall in every such Case (making an Allowance after the Rate of Eighteen Bushels in every One hundred Bushels of Blown Malt for Porter) charge the Duty upon all such Excess; any thing hereinbefore contained to the contrary thereof notwithstanding.

Account may be taken of the Malt when dried off the Kiln, and the Excess above the Gauge taken while in Operation charged with Duty.

XLIII. Provided always, and be it further enacted, That whenever any Officer of Excise shall propose to measure or take an Account of Malt, on the same being taken or thrown off from the Kiln, and whilst the same is hot, and contains the Commings or Roots thereof, and is in the same State as the same has been taken or thrown off from the Kiln, such Officer shall in such Account make an Allowance of Twelve *per Centum* for the Heat, Commings, or Roots, and unclean State of such Malt, or shall, at the Election of such Officer, require such Malt to be forthwith screened and cleaned, for the Purpose of being measured and taken Account thereof without such Allowance; and in Case such Maltster or Maker of Malt shall, on such Request of the Officer to screen such Malt, desire Time so to do, it shall be lawful for such Officer to lock up all such Malt in a safe and secure Room, to be provided by such Maltster or Maker of Malt; and no such Maltster or Maker of Malt shall be entitled to any such Allowance as aforesaid, or to screen such Malt before the same is measured or taken Account of as aforesaid, unless he shall forthwith remove and deposit all such Malt in such Room, and keep the same therein so locked by the Officer of Excise, safely and securely, and unmixed with any other Malt whatsoever, until such Maltster or Maker of Malt shall give Forty eight Hours Notice to the proper Officer of Excise to unlock such Room, and shall thereupon screen and clean such Malt for the Purpose of being measured and taken Account of by the Officer, without such Allowance as aforesaid: Provided also, that on any Officer taking an Account of the Malt in the Stock, Custody, or Possession of any Maltster or Maker of Malt, on or after the Tenth Day of *October* in every Year, as hereinafter mentioned, every such Officer shall make an Allowance to such Maltster or Maker of Malt, of One Bushel in Twenty Bushels of such Malt, for any Variation having occurred therein whilst in Stocks; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

Allowance on uncreened Malt measured from the Kiln.

XLIV. And be it further enacted, That every Maltster or Maker of Malt shall, monthly and every Month, make a true Entry in Writing of all the Malt by him or her made within such Period as aforesaid, at the Office of Excise within the Limits whereof such Malt shall have been made; and if any Maltster or Maker of Malt shall neglect or refuse to make Entry as aforesaid, or shall make any false Entry in that Behalf, every Maltster or

Entry to be made monthly of all Malt made, under Penalty of 100*l.*

Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Maltsters to clear off their Duties within 14 Days after Entry, unless Security be given, under Penalty of Double Duty.

XLV. And be it further enacted, That every Maltster or Maker of Malt shall, within the Space of Fourteen Days next after he or she shall have or ought to have made such Entry as aforesaid, pay and clear off all the Duties which shall have been charged upon, and which shall remain unpaid by such Maltster or Maker of Malt, for or in respect of any Malt by him or her made, unless such Maltster or Maker of Malt shall have given, and shall maintain and renew, upon the Death or Insolvency of any Party thereto, Security, approved of by the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland* respectively, or the Person or Persons who shall be appointed or employed by them respectively for that Purpose, by Bond in Double the Value of the Duties which such Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise, or such Person or Persons as aforesaid, shall judge likely to arise or be charged upon and become due from such Maltster or Maker of Malt within any Five Months, for the due Payment at the End of every Four Months from the Day on which such Maltster or Maker of Malt shall or ought to have made such Entry as aforesaid, of all such Duties and Sum and Sums of Money as shall arise or be charged on or become due from such Maltster or Maker of Malt; and if any Maltster or Maker of Malt, who shall not have given such Security, or who shall not maintain and renew such Security as aforesaid, shall neglect or refuse to pay and clear off such Duties within the Space of Fourteen Days as aforesaid, every such Maltster or Maker of Malt as last aforesaid, so offending, shall for every such Offence forfeit and lose Double the Sum for which such Duties so neglected or refused to be paid or cleared off as aforesaid shall amount to.

Punishment of Servants maliciously beginning to wet Corn, or emptying the Cistern at illegal Hours, &c.

XLVI. And be it further enacted, That if any Workman, Servant, or Labourer employed by or in the Service of any Maltster or Maker of Malt, shall maliciously, and with Intent to injure such Maltster or Maker of Malt, begin to wet or steep any Corn or Grain to be made into Malt at any other Time than between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon; or if any Workman, Servant, or Labourer shall maliciously, and with such Intent as aforesaid, empty or take any Corn or Grain from or out of the Cistern at any other Time than between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon; or shall maliciously, and with such Intent as aforesaid, wet, water, or sprinkle any Corn or Grain making into Malt before the Expiration of Twelve Days or Two hundred and eighty eight Hours after the same shall have been emptied or taken from or out of the Cistern, or mix, either on the Floor or on the Kiln, any Corn or Grain of One Wetting or Steeping with or amongst any Corn or Grain of another or different Wetting or Steeping; every such Workman, Servant, or Labourer shall and may, for any such Offence as aforesaid, be arrested and conveyed, by any Constable or other lawful Peace Officer, before any One or more of His Majesty's Justices of the Peace for the County Shire, Division, City, Town, or Place wherein such Workman,

Workman, Servant, or Labourer shall be found; and it shall be lawful for any such Justice or Justices of the Peace, on the Commission of the Party, or by Proof on the Oath of One or more credible Witness or Witnesses made of any such Offence, to convict every such Workman, Servant, or Labourer so offending, of such Offence, and upon such Conviction, by Warrant or Warrants under his or their Hand or Hands, to commit such Workman, Servant, or Labourer to the Common Gaol or House of Correction of the County, Shire, Division, City, Town, or Place in which such Conviction shall take place, for any Length of Time not exceeding Twelve and not less than Three Months from the Day of such Commitment; and such Workman, Servant, or Labourer shall, for and during the whole Time for which he or she shall be committed, be kept to hard Labour in such Gaol or House of Correction, and shall not, under any Pretence or by reason of any Authority or Order, be discharged therefrom until the Expiration of the Time for which such Commitment shall have been made: Provided always, that nothing herein contained shall extend or be deemed or construed to extend to repeal, alter, or affect any Penalty or Penalties on the Maltster or Maker of Malt by whom or in whose Service or Premises any such Workman, Servant, or Labourer as aforesaid shall be employed, by reason of any such Offence or Offences, but that every such Maltster or Maker of Malt shall still remain and continue liable to all and singular such Penalty or Penalties, any thing hereinbefore contained to the contrary thereof notwithstanding; unless such Maltster or Maker of Malt shall forthwith prosecute such Workman, Servant, or Labourer as aforesaid, to Conviction as aforesaid, and shall, before the Recovery of any such Penalty, produce to the Commissioners of Excise if in *England*, or to the Commissioner or Commissioners and Assistant Commissioners of Excise if in *Scotland or Ireland*, a Certificate of such Conviction, and of the Workman, Servant, or Labourer so convicted having suffered or being in Prison under such Sentence, and suffering such Punishment as aforesaid.

Maltster to be liable to Penalties for such Offences, unless he shall prosecute such Servant to Conviction, and shall obtain a Certificate thereof, and that he has undergone the Punishment.

XLVII. And be it further enacted, That a Book, prepared with proper printed Forms and Titles for such Purposes as hereinafter mentioned, shall be delivered by the proper Officer of Excise to every Maltster or Maker of Malt; and that from and after the Tenth Day of *October* One thousand eight hundred and twenty seven, no Malt, in any Quantity exceeding Four Bushels at one Time, or if to a Brewer of Beer for Sale, in any Quantity whatsoever, shall be sold, sent out, or delivered by any Maltster or Maker of Malt, without a Certificate, filled up and cut out progressively from the printed Forms and Titles contained in such Book as aforesaid, signed by the Maltster or Maker of Malt selling, sending out, or delivering the same, or by some Person on his or her Behalf, certifying the Date, Quantity, and Quality of such Malt (whether Blown Malt for Porter or other Malt), to whom sold or sent out, of what Place, and that the Duty had been duly charged thereon, and at what Place and upon what Maltster or Maker of Malt such Charge had been made; and every such Certificate shall be left with the Person or Persons to whom such Malt shall be sold, sent out, or delivered; and every such Maltster or Maker of Malt, selling or sending out any such Malt as aforesaid, shall

Certificate Books to be delivered to Maltsters; and no Maltster to send out Malt exceeding Four Bushels without Certificate, or without making corresponding Entry under Penalty of 200*l*.

at the same Time make a correspondent Entry to such Certificate, and containing the same Particulars, in the Book and Part thereof from which such Certificate shall have been cut; and every such Maltster or Maker of Malt shall at all Times keep such Book as aforesaid, with all Entries made therein, open and exposed in some entered Building or Place of and belonging to such Maltster or Maker of Malt, for the Perusal and Inspection of the Officers of Excise, and shall deliver up every such Book as aforesaid to any Officer of Excise demanding the same, and permit him to make any Minute therein, as such Officer shall think fit; and if any such Maltster or Maker of Malt shall sell, send out, or deliver any Malt in any Quantity exceeding Four Bushels at One Time, or if to a Brewer of Beer for Sale, in any Quantity whatsoever, without such Certificate as aforesaid, or shall not so leave such Certificate as aforesaid, or shall make use of the same a Second Time, or to accompany any other Malt than the Malt for which it was first cut out of such Book as aforesaid, or shall not at the same Time make a correspondent Entry to such Certificate as aforesaid, or shall not keep such Book as aforesaid, or shall not deliver up any such Book to any Officer demanding the same, or permit him to make any Minute therein, or shall convey away or conceal any such Book, or shall destroy or tear out any Leaf therefrom, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all such Malt, and the Vessel or Boat, Cart, Carriage, or other Conveyance, Horses or other Cattle, removing or which shall have been used in the Removal of such Malt, shall be forfeited, and shall and may be seized by any Officer of Excise.

Maltsters to make Entry of the total Quantity of Malt sent out by them daily in Quantities not exceeding Four Bushels at a Time, under Penalty of 50*l*.

XLVIII. And be it further enacted, That every Maltster or Maker of Malt shall daily enter in a Book delivered to him or her by the Officer of Excise for that Purpose, the total Quantity of Malt by such Maltster or Maker of Malt sold or sent out during such Day, in Quantities not exceeding Four Bushels at One Time, except to a Brewer of Beer for Sale; and every such Maltster or Maker of Malt shall at all Times keep such Book, with all Entries made therein, open and exposed in some entered Building or Place of and belonging to such Maltster or Maker of Malt, for the Perusal and Inspection of the Officers of Excise, and shall deliver up every such Book as aforesaid to any Officer of Excise demanding the same, and permit him to make any Minute therein, as such Officer shall think fit; and if any such Maltster or Maker of Malt shall neglect or refuse to make any such Entry as aforesaid, or shall not keep such Book as last aforesaid, or shall not deliver up any such Book to any Officer demanding the same, or permit him to make any Minute therein, or shall convey away or conceal the same, or shall destroy or tear out any Leaf thereof, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

Brewers, Distillers, &c.

XLIX. And be it further enacted, That every Factor or Dealer in or Seller of Malt, and every Brewer of Beer for Sale, and every Distiller

Distiller or Maker of Low Wines or Spirits, and every Maker of Vinegar or Acetous Acid for Sale, and every Trader subject to Survey under the Excise Laws, who shall receive into his or her Custody or Possession any Malt with Certificate, shall, within Three Days next after such Malt shall have been so received as aforesaid, or when requested by any Officer of Excise, deliver up every such Certificate to the Officer of Excise under whose Survey such Factor, Dealer in or Seller of Malt, Brewer of Beer for Sale, or Distiller or Maker of Low Wines or Spirits, or Maker of Vinegar or Acetous Acid, or Trader as aforesaid, shall then be, or to any Officer requesting the same as aforesaid; and if any such Factor, Dealer in or Seller of Malt, Brewer of Beer, or Distiller or Maker of Low Wines or Spirits, or Maker of Vinegar or Acetous Acid, or Trader as aforesaid, who shall receive into his or her Custody or Possession any Malt with Certificate, shall not deliver up every such Certificate as aforesaid, or if any Person whosoever shall receive any Malt from any Maltster or Maker of Malt, exceeding at One Time Four Bushels, or if a Brewer of Beer for Sale shall receive from any Maltster or Maker of Malt any Quantity of Malt, without such Malt being accompanied by such Certificate delivered therewith as aforesaid, every such Factor, Dealer in or Seller of Malt, Brewer of Beer, and Distiller or Maker of Low Wines or Spirits, and Makers of Vinegar or Acetous Acid, and Trader and Person as aforesaid, so offending, shall for every such Offence respectively forfeit and lose the Sum of Forty Shillings for every Bushel of Malt received with such Certificate not so delivered up, or without Certificate, or One hundred Pounds, at the Election of the Attorney General or Person who shall inform or sue for the same.

L. And be it further enacted, That every Factor or Dealer in or Seller of Malt shall make true and particular Entry in Writing of every Building or Place by him or her intended to be used for the storing or keeping of Malt for Sale, at the nearest Office of Excise; and if any Factor, Dealer in or Seller of Malt, shall use any Building or Place for the storing or keeping of Malt for Sale, without having made such Entry thereof as aforesaid, every Factor, Dealer in or Seller of Malt, so offending, shall forfeit and lose the Sum of One hundred Pounds for every Building or Place so used without such Entry thereof as aforesaid; and all Malt which shall be found in any such Building or Place shall be forfeited, and shall and may be seized by any Officer of Excise.

LI. And be it further enacted, That a Book, prepared with proper printed Forms and Titles for such Purposes as hereinafter mentioned, shall be delivered by the proper Officer of Excise to every Factor or Dealer in or Seller of Malt; and that every Factor or Dealer in or Seller of Malt, when and so soon as he or she shall receive any Malt into his or her Custody or Possession, shall enter in such Book as aforesaid, and under the proper Title prepared for such Purpose, the Quantity and Quality (whether Blown Malt for Porter or other Malt) of such Malt, the Date when and the Person from whom, whether a Maltster or Maker of Malt, Dealer or Factor, and of what Place, the same shall have been received; and every such Factor or Dealer in or Seller of Malt shall at all Times keep such Book as aforesaid with all Entries made therein, open

receiving Malt by Certificate, to deliver up such Certificate within Three Days to their surveying Officer, or to any Officer demanding the same, under Penalty of 40s. for every Bushel of Malt, or 100l.

Factors to make Entry of their Places for keeping Malt, under Penalty of 100l. and Forfeiture of Malt found therein.

Books to be delivered to Factors; and Factors receiving Malt without entering the same therein, or making false Entries, &c. to forfeit 100l.

open and exposed in some entered Building or Place of or belonging to such Factor or Dealer in or Seller of Malt, for the Perusal and Inspection of the Officers of Excise, and shall deliver up every such Book as aforesaid, and all Certificates by him or her received with any Malt, into his or her Custody or Possession, to any Officer of Excise demanding the same, and permit any Officer of Excise to make any Minute in such Book, as such Officer shall think fit; and if any such Factor or Dealer in or Seller of Malt, when and so soon as he or she shall have received any Malt into his or her Custody or Possession, neglect or refuse to enter the same in such Book as aforesaid, or shall not keep such Book as aforesaid, or shall not deliver up the same to, or permit the Officer to make any Minute therein, or shall not deliver up any Certificate by him or her received with any Malt into his or her Custody or Possession as aforesaid, or shall convey away or conceal any such Book, or shall destroy or tear out any Leaf therefrom, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, every such Factor or Dealer in or Seller of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Maltsters, with-
in Ten Days
after 10th
October yearly,
to place all dry
Malt so that it
may be conven-
iently gauged.

LII. And be it further enacted, That every Maltster or Maker of Malt, within Ten Days after the Tenth Day of *October* in every Year, shall cast or place all the Malt not then in Operation or Process of making into Malt, in his or her Custody or Possession, into such level and regular Form as may enable the Officer of Excise conveniently to gauge and ascertain the true Quantity thereof; and if any Maltster or Maker of Malt shall neglect or refuse to cast or place all or any such Malt as aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Officers may
demand the
Inspection of
Malt on its
Removal, with
the Certificate
accompanying
it.

LIII. And be it further enacted, That every Person who shall at any Time be found removing, or attending and directing the Removal of any Malt from one Part of the United Kingdom to any other Part thereof, shall, upon the Demand of any Officer of Excise, produce such Malt, and the Certificate accompanying, or which shall or ought to have accompanied such Malt on the Removal thereof, to the Officer demanding the same, to be by him examined and inspected, and compared with the Quantity and Quality of the Malt so removing as aforesaid; and if any such Person or Persons shall, upon the Demand of any Officer of Excise, neglect or refuse to produce any such Malt or Certificate as aforesaid, or to suffer and permit such Inspection, Examination, and Compare as aforesaid, or shall hinder or obstruct any Officer of Excise therein, or in the due Execution of his Duty, or of any of the Powers to such Officer by this Act granted, every such Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and in every such Case all such Malt, and the Vessel or Boat, Cart, Carriage, or other Conveyance, Horses or other Cattle, removing or which shall have been used in the Removal of such Malt, shall be forfeited, and shall and may be seized by any Officer of Excise.

Penalty on Re-
fusal, or Ob-
struction, 200*l*.

Brewers in
Ireland to make
Entry of all

LIV. And be it further enacted, That every Brewer of Beer for Sale in *Ireland* shall make a true and particular Entry in Writing of every Building, Place, Vessel, and Utensil by him or

her

her intended to be used in or for the brewing or keeping of Worts or Beer, at the nearest Office of Excise, specifying in such Entry the particular Use or Purpose for which such Building, Place, Vessel, or Utensil shall be intended to be used as aforesaid; and if any such Brewer shall use any Building, Place, Vessel, or Utensil, without having made such Entry thereof as aforesaid, or shall use any Building, Place, Vessel, or Utensil for any other or different Use or Purpose, in or for the brewing or keeping of Worts or Beer, than the particular Use or Purpose for which such Building, Place, Vessel, or Utensil shall have been entered, every such Brewer so offending shall forfeit and lose the Sum of One hundred Pounds for every such Building, Place, Vessel, or Utensil as aforesaid; and all Worts or Beer which shall be found therein, and the Casks or other Vessels containing the same, shall be forfeited, and shall and may be seized by any Officer of Excise: Provided always, that any Entry made of any Building, Place, Vessel, or Utensil, for any more than One such particular Use or Purpose as aforesaid, shall be void to all Intents and Purposes.

L.V. And be it further enacted, That every such Brewer shall, in the Entry by him or her made of any Building or Place for the brewing of Beer, specify and distinguish every Building or Place in which he or she shall intend to store or keep the Malt to be used by him or her in the brewing of Beer, and shall store and deposit all such Malt in one or more of such entered Buildings or Places so specified and distinguished, and shall not use or employ any Malt in the brewing of Beer which shall not have been so stored and deposited in and taken from One or more of such Buildings or Places so specified and distinguished; and if any such Brewer shall store or keep any Malt, to be used by him or her in the brewing of Beer, in any Building or Place which shall not have been specified and distinguished in such Entry as aforesaid, or shall use or employ any Malt in the brewing of Beer which shall not have been stored and deposited in and taken from an entered Building or Place so specified and distinguished as aforesaid, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all Malt which shall be found in any Building or Place entered or used for the brewing of Beer, other than Malt taken from One or more of such Buildings or Places so specified and distinguished, for the Purpose of being employed in the brewing of Beer, shall be forfeited, and shall and may be seized by any Officer of Excise.

Premises and Utensils used for brewing or storing Beer, under Penalty of 100*l*.

Such Brewers to specify in their Entry all Places intended to be used for keeping Malt.

Penalty on keeping Malt in any Place not specified in such Entry, 200*l*.

L.VI. And be it further enacted, That it shall be lawful for any Officer of Excise, and any Person in Aid and Assistance of such Officer, at any Time, either by Night or Day, to enter into, and remain so long as such Officer may think fit, for the Purposes hereinafter mentioned, in any Building or Place belonging to or used by any such Brewer for the brewing or keeping of Worts or Beer, or for the storing or keeping of Malt; and it shall be lawful for such Officer of Excise, and any Person in Aid and Assistance of such Officer, to inspect any such Building or Place, and to take such Account as such Officer shall deem necessary, of all Worts, Beer, and Malt therein, and of all other Matters and Things, and of all Vessels, Utensils, Goods, and Materials belonging to or in anywise appertaining to the Trade or Business of such

Officers may enter any Building or other Place used by such Brewer, for the Purpose of inspecting or taking an Account of Beer or Malt therein.

Penalty on obstructing Officers, &c. 200l.

such Brewer; and if any such Brewer shall oppose, molest, obstruct, or hinder any Officer of Excise, or any Person acting in the Aid or Assistance of such Officer, in entering into or remaining in any such Building or Place as aforesaid, or in inspecting the same, or taking any Account as aforesaid, or in the due Execution of the Duty of such Officer, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

The different Quantities of Malt stored and used by such Brewers to be entered in a Book to be kept for the Inspection of the Officers.

LVII. And be it further enacted, That a Book, prepared with proper and distinct Columns for such Purposes as hereinafter mentioned, shall be delivered by the proper Officer of Excise to every such Brewer, and every such Brewer shall, on the same Day on which he or she shall store or deposit any Malt in any Building or Place by him or her entered for the storing or keeping of Malt to be used in the brewing of Beer, write and enter in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, the Day when and the Number of Bushels of Malt which he or she shall have so stored or deposited as aforesaid, and the Christian and Surnames, and Place or Places of Abode, of the Person or Persons, and whether Maltsters or Makers of Malt, of whom he or she shall have received such Malt as aforesaid; and every such Brewer shall, on the same Day on which he or she shall use any Malt in the brewing of Beer, and before the same shall be mashed, or any Water or other Liquor put thereto or mixed therewith, write and enter in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, the particular Day and Hour of the Day when and the Number of Bushels of Malt which he or she shall so use as aforesaid; and every such Brewer shall keep such Book, with all Entries made therein, in some public and open Part of his or her entered Premises, for the Inspection of the Officers of Excise, and shall deliver up every such Book as aforesaid to any Officer of Excise demanding the same, and permit him to make any Minute therein, as such Officer shall think fit; and if any such Brewer shall store or deposit any Malt in any Building or Place by him or her entered for the storing or keeping of Malt to be used in the brewing of Beer, or shall use any Malt in or for the brewing of Beer, and shall not write or enter the same in such Book as aforesaid, or shall not keep such Book as aforesaid, or shall not deliver up the same to any Officer demanding such Book, or permit any Officer to make any Minute therein, or shall convey away or conceal the same, or shall destroy or tear out any Leaf therefrom, or cancel, obliterate, or destroy or alter any Entry therein, or make any false Entry therein, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Malt in Stock to be laid regularly and even, to enable the Officers to gauge the same.

LVIII. And be it further enacted, That every such Brewer shall, when and so often as he or she shall be thereunto required by any Officer of Excise, level and cast all the Malt in any Building or Place by him or her entered for the storing or keeping of Malt to be used for the brewing of Beer, in or into such regular Form as may enable the Officer of Excise easily and conveniently to gauge and ascertain the true Quantity thereof; and if any such Brewer, upon being thereunto required as aforesaid,

said, shall neglect or refuse to level or cast any such Malt in or into such Form as aforesaid, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and if upon taking an Account of such Malt as aforesaid, the Quantity of such Malt shall be found to exceed the Quantity which such Brewer ought to have had, according to the Entries contained in such Book as aforesaid, in a greater Proportion than One Twentieth Part of the Quantity of Malt so found, every such Brewer shall be deemed and taken to have received Malt into the Building or Place by him or her entered for the storing or keeping of Malt to be used for the brewing of Beer, without having made such Entry thereof in such Book aforesaid, and shall in such Case be liable to the Penalty by this Act imposed for not making Entry in that Behalf in such Book as aforesaid, and all such Excess shall be forfeited, and shall and may be seized by any Officer of Excise; and if the Quantity of such Malt shall be found to be less than the Quantity which such Brewer ought to have had, according to the Entries contained in such Book as aforesaid, in such Proportion as aforesaid, every such Brewer shall be deemed and taken to have used Malt in the brewing of Beer without having made such Entry thereof in such Book as aforesaid, and shall in such last-mentioned Case be liable to the Penalty by this Act imposed for not making Entry in that Behalf in such Book as aforesaid.

If any Excess or Deficiency be found, Brewer deemed to have received or used Malt, without making Entry.

LIX. And be it further enacted, That it shall be lawful for any such Brewer, before any Officer of Excise shall take an Account of such Malt as aforesaid, to enter up in such Book as aforesaid all Malt which he or she shall have received into any Building or Place by him or her entered for the storing or keeping of Malt to be used for the brewing of Beer, in the Course of the Day on which such Account shall be proposed or intended to be taken; and if any Dispute shall arise between any such Brewer and the Officer of Excise, respecting the true Quantity of Malt so taken an Account of as aforesaid, such Brewer shall be allowed immediately, and with all due Diligence and Dispatch, to measure the same in the Presence of such Officer, by a just and correct Bushel Measure of the Dimensions prescribed by Law, to be provided by such Brewer; and the Quantity so ascertained shall be taken to be the true Quantity of such Malt; any thing in this Act to the contrary thereof notwithstanding.

Book to be entered up before Account taken by Officer.

In case of Dispute, Brewer may measure the Malt in Stock.

LX. And be it further enacted, That if any such Brewer as aforesaid shall not use or consume in the brewing of Beer the whole of the Malt received into any Building or Place by him or her entered for the storing or keeping of Malt intended to be used for the brewing of Beer, or shall sell, send out, or deliver any such Malt, or any Worts by him or her brewed for the making of Beer, to any Person or Persons whatsoever, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all Malt and Worts so sold, sent out, or delivered as aforesaid, shall be forfeited, and shall and may be seized by any Officer of Excise: Provided always, that if upon Application made by any such Brewer to the Commissioner or Commissioners and Assistant Commissioners of Excise in *Ireland*, it shall appear to them to be reasonable to allow such Brewer, under

Brewers not consuming the whole of their Malt in brewing, or sending out the same, or any Worts, to forfeit 200l.

Commissioners in *Ireland* may authorize Brewers to sell.

Malt under special Circumstances.

under the Circumstances stated, to sell any Malt received into any Building or Place by him or her entered for the storing or keeping of Malt to be used for the brewing of Beer, it shall be lawful for such Commissioner or Commissioners and Assistant Commissioners of Excise to grant an Order under their Hands to such Brewer so to do; and every such Order shall be sufficient Authority to such Brewer to sell, send out, or deliver such Malt as shall be therein expressed; any thing hereinbefore contained to the contrary thereof notwithstanding.

Brewers to give Notice before beginning to mash any Malt, of the Quantity intended to be used.

LXI. And be it further enacted, That every such Brewer shall, before he or she shall begin to mash any Malt to be used for the brewing of Beer, and before any Water or other Liquor shall be added thereto or be mixed therewith, give Twenty four Hours Notice thereof in Writing to the Officer of Excise under whose Survey such Brewer shall then be (if the Brewhouse of such Brewer of Beer shall be situated in a City or Market Town, or in the Suburbs thereof, and Forty eight Hours Notice thereof if not so situated), in which Notice shall be expressed the Day and particular Hour of the Day when, and the Quantity of Malt which such Brewer shall intend to use for the brewing of Beer as aforesaid; and if any such Brewer shall begin to mash any Malt to be used for the brewing of Beer, or shall add to or mix with any Malt any Water or other Liquor, without having given such Notice as aforesaid, or if any such Brewer shall mash any greater or less Quantity of Malt than the Quantity of Malt expressed in such Notice, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty 100*l*.

Mashed Malt not to be removed till gauged and taken an Account of by the Officer, under Penalty of 100*l*.

LXII. And be it further enacted, That no Malt which shall have been mashed by any such Brewer shall be removed from the Vessel or Utensil in which the same shall have been mashed, until the proper Officer of Excise shall have gauged and taken an Account thereof; and if any such Brewer shall remove any such Malt, or any Part thereof, before the proper Officer of Excise shall have gauged and taken an Account thereof, or shall use any Means, Art, or Contrivance, whereby the Officer of Excise shall be deceived, or which shall be calculated to deceive such Officer in gauging and taking an Account thereof, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds: Provided always, that no such Brewer shall incur the said last-mentioned Penalty for or by reason of his having removed any such Malt as aforesaid, after all the Worts shall have been drawn off from the same, and without any Officer of Excise having gauged and taken an Account thereof, if such Brewer shall at the Time of making Entry in such Book as aforesaid of the Malt to be mashed, have specified in such Book and Entry as aforesaid the Time for such Officer to attend to take such Gauge and Account as aforesaid, and such Officer shall not have attended for that Purpose within an Hour after the Time so specified.

Proviso for Brewers having given due Notice.

Brewers to make Declaration in the Book, of the Strength and Quantity of Beer brewed.

LXIII. And be it further enacted, That every such Brewer shall, before he or she shall cleanse or remove any Beer from any Fermenting Tun, make a Declaration in Writing in such Book so delivered to him or her as aforesaid, and opposite the Quantity of Malt therein entered as having been used by him or her for the brewing

brewing of Beer, of the whole Strength or Quantity and Quality of the Beer brewed by such Brewer from such Malt, which Declaration shall at the same Time be signed by such Brewer, or by his principal Servant under whose Direction or Inspection such Beer shall have been brewed; and if any such Brewer shall cleanse or remove any Beer from any Fermenting Tun without having made such Declaration in Writing as aforesaid, or shall cancel, obliterate, destroy, or alter any such Declaration as aforesaid, or make any untrue Declaration in that Behalf, or if any such Brewer, or his principal Servant as aforesaid, shall neglect or refuse to sign any such Declaration, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

LXIV. And be it further enacted, That if any such Brewer shall receive into or have in his or her Custody or Possession, or use in brewing, or mix with or put into any Worts or Beer, any Ingredients, Preparation, or Material whatsoever, in addition to, or for or as a Substitute for Malt or Hops, or for the Purpose of diluting or darkening the Colour of Worts or Beer, other than Brown Malt, ground or unground, as commonly used in brewing, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all such Ingredients, Preparations, and Materials, and all Worts or Beer brewed therefrom, or with or into which the same shall have been mixed or put, and all Vessels and Utensils containing any such Worts or Beer, shall be forfeited, and shall and may be seized by any Officer of Excise.

LXV. And be it further enacted, That if any Person shall sell or deliver to any such Brewer as aforesaid, knowing him or her to be such Brewer, or to any other Person or Persons, for or on account of or for the Use of such Brewer, any Ingredient, Preparation, or Material to be used in Worts or Beer, in addition to or as a Substitute for Malt or Hops, or for the Purpose of darkening the Colour of Worts or Beer, other than Brown Malt, ground or unground, as commonly used in brewing, every Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

LXVI. And Whereas by a certain Act of Parliament passed 'in the Sixth Year of the Reign of His present Majesty, for providing equivalent Rates of Excise Duties, Allowances, and Drawbacks on Beer and Malt, and on Spirits made in Scotland or Ireland, according to the Measure of the new Imperial Standard Gallon, a certain Allowance is made of the Duty charged upon Spirits distilled from Malt only; and it is expedient to make some further Regulations in respect thereof, in order to prevent Frauds being practised for the Purpose of unduly obtaining such Allowance;' Be it enacted, That from and after the Tenth Day of October One thousand eight hundred and twenty seven, no such Allowance as aforesaid shall be made in respect of any Spirits made after the Tenth Day of October One thousand eight hundred and twenty seven, from Malt only, in Scotland or Ireland, unless the Distiller or Maker thereof, claiming such Allowance, shall have distilled all such Spirits from such Malt only as shall have been made for the sole Purpose of being consumed

Brewers having or using any Ingredient in addition or as a Substitute for Malt or Hops, or for the colouring of Beer, to forfeit 200*l*.

Persons knowingly selling such Ingredients to Brewers to forfeit 200*l*.

From 10th Oct. 1827, the Allowance on Spirits distilled from Malt to be made only to Distillers making their Spirits from Malt made

under the Regulations of this Act.

Storehouses to be provided by Distillers, and approved of by the Collector and Supervisor, who are to provide Locks, &c. at the Expence of the Distiller.

Distillers refusing to pay for Locks, or destroying them, &c. to forfeit 100*l*.

Distillers to give Notice of taking Malt off the Kiln, under Penalty of 50*l*.

Malt, when fully dried, to be measured in the Officer's Presence, and directly secured

consumed in distilling Low Wines and Spirits from Malt only, under the several Rules, Regulations, and Provisions hereinbefore contained respecting Maltsters or Makers of Malt, and under such further Rules, Regulations, and Provisions as are hereinafter contained in that Behalf.

LXVII. And be it further enacted, That every such Distiller or Maker of Low Wines or Spirits who shall make Malt, shall make Entry as a Maltster or Maker of Malt for the sole Purpose of being consumed in distilling Low Wines or Spirits made from Malt only, and shall provide and keep a proper and secure Building or Place at the Premises by him or her entered as aforesaid for the Purpose of making Malt, and also at every Distillery by him or her used for distilling Low Wines or Spirits made from Malt only, to be approved of in Writing by and under the Hands of the Collector and Supervisor of Excise of the Collection and District in which any such Building or Place shall be situated, for securing therein the Malt by him or her made, to be used and consumed in his or her Distillery or Distilleries as aforesaid; and the said Collector or Supervisor shall provide and affix proper Locks and Fastenings thereto, at the Expence of such Distiller or Maker of Low Wines or Spirits making entry as aforesaid, who shall be permitted, if he or she shall think proper so to do, to provide and affix other Locks and Fastenings thereto, the Keys of such last-mentioned Locks and Fastenings to be kept by him or her; and if any such Distiller or Maker of Low Wines or Spirits making any such Entry as aforesaid shall neglect or refuse to pay for any Lock, Key, or Fastening provided and affixed by such Collector or Supervisor to any such Building or Place entered by such Distiller for the Purpose aforesaid, or shall wilfully destroy, damage, or injure any such Lock, Key, or Fastening, or shall by any Art, Device, or Contrivance open, take off, or remove any such Lock or Fastening, or make any Way or Entrance into any such Building or Place, every such Distiller or Maker of Low Wines or Spirits, making any such Entry as aforesaid, so offending, shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

LXVIII. And be it further enacted, That every such Distiller or Maker of Low Wines or Spirits, making Entry as and for the Purpose aforesaid, shall give Twelve Hours Notice in Writing to the Officer of Excise under whose Survey such Distiller or Maker of Low Wines or Spirits shall then be, of the Day and particular Hour of the Day when he or she shall intend to take any Malt off the Kiln; and if any such Distiller or Maker of Low Wines or Spirits shall take any Malt off the Kiln without having given such Notice as aforesaid, every such Distiller or Maker of Low Wines or Spirits so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds; and all Malt taken off the Kiln without such Notice as aforesaid shall be forfeited, and shall and may be seized by any Officer of Excise.

LXIX. And be it further enacted, That when and so soon as any Malt made by such Distiller or Maker of Low Wines or Spirits, making Entry as and for the Purpose aforesaid, shall be fully dried, the same (screened or unscreened, as such Maltster or Maker of Malt may think fit) shall, in the Presence of an Officer of

of Excise, forthwith be measured; and if any Quantity be found by such Admeasurement over and above the Quantity found by the last Gauge taken of the Corn or Grain of which such Malt shall have been made whilst in Operation or Process of making into Malt, such Excess shall be charged with Duty; and all such Malt shall be carried by such Distiller or Maker of Low Wines or Spirits, in the Presence of the Officer, into and locked up and secured in One or more of such Buildings or Places by him or her provided as aforesaid, at the Premises by him or her entered as aforesaid for the Purpose of making Malt; and if any such Distiller or Maker of Low Wines or Spirits shall neglect or refuse to cause all such Malt as aforesaid to be measured, and carried or locked up or secured as aforesaid, every such Distiller or Maker of Low Wines or Spirits so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

LXX. And be it further enacted, That Books, prepared with proper Columns for such Purposes as hereinafter mentioned, shall be delivered by the proper Officer of Excise to every such Distiller or Maker of Low Wines or Spirits making Entry as and for the Purpose aforesaid, to be kept by him or her at the Building or Place by him or her provided as aforesaid, at the Premises by him or her entered as aforesaid for making Malt for the Purpose aforesaid, and at every Distillery by him or her used for distilling Low Wines or Spirits made from Malt only; and every such Distiller or Maker of Low Wines or Spirits shall, whenever he or she shall receive any Malt into any such Building or Place by him or her provided as aforesaid, or shall remove or take away any Malt out of any such Building or Place to any other Building or Place, to be used or consumed in his or her Distillery, forthwith write and enter in such Book as aforesaid, and in the proper Columns prepared for that Purpose, the particular Day and Hour of the Day when, and the Quantity of Malt in Bushels which he or she shall have received into or taken or removed out of such Building or Place as aforesaid; and if any such Distiller or Maker of Low Wines or Spirits shall receive any Malt into, or shall take or remove any Malt out of any such Building or Place so provided as aforesaid, and shall not write and make Entry thereof in such Book as aforesaid, or shall not so keep such Book as aforesaid, or shall not deliver up any such Book to any Officer of Excise demanding the same, or permit the Officer to make any Minute therein, or shall conceal or convey away the same, or destroy or tear out any Leaf therefrom, or cancel, obliterate, or destroy or alter any Entry therein, or make any false Entry therein, every such Distiller or Maker of Low Wines or Spirits so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

LXXI. And be it further enacted, That when any such Distiller or Maker of Low Wines or Spirits, making Entry as and for the Purpose aforesaid, shall be desirous of taking or removing any Malt out of any Building or Place by him or her provided as aforesaid, at the Premises by him or her entered as aforesaid for the Purpose of making Malt, to a Building or Place by him or her provided as aforesaid, at a Distillery by him or her used for distilling Low Wines or Spirits made from Malt only, such Distiller

in Storehouses,
under the Pen-
alty of 50*l*.

Distillers to
enter into a
Book the
Quantity of
Malt carried
into and re-
moved from
the Storehouses
to be used in
the Distillery,
under Penalty
of 200*l*.

Distillers de-
sirous of re-
moving Malt
from a Malt-
house to a Dis-
tillery, to give
Notice to the
proper Officer,
who is to attend
and grant a
Permit.

or Maker of Low Wines or Spirits making Entry as and for the Purpose aforesaid, shall give Twenty four Hours Notice to the proper Officer of Excise of the Time when and the Quantity of Malt which, and the Building or Place so provided as aforesaid, from and to which he or she shall be desirous of removing such Malt as aforesaid; and every such Officer of Excise shall attend in pursuance of such Notice at the Time and Place therein mentioned, to unlock the Building or Place from which such Malt is intended to be removed, and see measured out therefrom the Quantity of Malt expressed in such Notice; and such Officer of Excise shall thereupon grant a Permit for the Removal of such Malt from and to the Buildings or Places so provided as aforesaid, and expressed in such Notice, in which Permit shall be expressed the Time for which such Permit shall be in force, such Time being a reasonable and sufficient Time for such Removal as aforesaid; and if any such Distiller or Maker of Low Wines or Spirits making Entry as and for the Purpose aforesaid, who shall remove any Malt as aforesaid, shall not deposit and place the same in the Building or Place expressed in such Permit as the Place to which such Malt is to be removed, or shall sell or dispose of, or remove the same to any other Place than as aforesaid, every such Distiller or Maker of Low Wines or Spirits making Entry in and for the Purpose aforesaid, so offending, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all Malt so removed, which shall not be so deposited and placed as aforesaid, or which shall be sold or disposed of or removed to any other Place than as aforesaid, shall be forfeited, and shall and may be seized by any Officer of Excise; and if any such Malt shall be found by any Officer of Excise removing or removed, without the same being or having been accompanied by such Permit as aforesaid, or accompanied with a Permit expired and out of force, or which shall not agree with the Quantity of such Malt, or the Time or Manner of the Removal thereof, all such Malt shall be forfeited, and shall and may be seized by any Officer of Excise.

Malt in Stock to be laid regular and even, so that the Officers may gauge the same, under Penalty of 100*l*.

LXXII. And be it further enacted, That every such Distiller or Maker of Low Wines or Spirits making Entry as and for such Purpose as aforesaid, shall, when and so often as he or she shall be thereunto required by any Officer of Excise, cast all the Malt in any Building or Place so by him or her provided as aforesaid, in or into such regular Form, and level the same so as to enable the Officer of Excise easily and conveniently to gauge and ascertain the true Quantity thereof; and if any such Distiller or Maker of Low Wines or Spirits, upon being thereunto required as aforesaid, shall neglect or refuse to cast or level any such Malt as aforesaid, every such Distiller or Maker of Low Wines or Spirits so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and if upon taking any such Account as aforesaid the Quantity of such Malt shall be found to exceed the Quantity which such Distiller or Maker of Lower† Wines or Spirits ought to have had at any such Building or Place by him or her provided as aforesaid, according to the Entries contained in such Book as aforesaid, in a greater Proportion than One Twentieth Part of the Quantity of Malt so found, every such Distiller or Maker of Low Wines or Spirits shall be deemed and taken to have

If any Excess above One in Twenty be found, Distiller to be deemed to have carried Malt into the Storehouse without Notice;

† Sic.

have received Malt into such Building or Place by him or her provided as aforesaid, without having made such Entry thereof in such Book as aforesaid, and every such Excess of Malt shall be forfeited, and shall and may be seized by any Officer of Excise; and if the Quantity of such Malt shall be found to be less than the Quantity which such Distiller or Maker of Low Wines or Spirits ought to have had in such Building or Place, according to the Entries contained in such Book as aforesaid, in such Proportion as aforesaid, every such Distiller or Maker of Low Wines or Spirits shall be deemed and taken to have removed and taken away Malt out of such Building or Place without having made such Entry in such Book as aforesaid, and shall in every such Case of Excess or Deficiency be liable to the Penalty by this Act before imposed for not making Entry in such Book as aforesaid.

LXXIII. And be it further enacted, That if any such Distiller or Maker of Low Wines or Spirits, making Entry as and for the Purpose aforesaid, shall take or remove any Malt out of any such Building or Place so by him or her provided as aforesaid, without the Knowledge or Presence of the proper Officer of Excise, or shall not use all the Barley by him or her received at any Malt-house or Premises entered for such Purpose as aforesaid, by making the same into Malt for the Purpose aforesaid, and consume all such Malt by him or her made as aforesaid in his or her Distillery or Distilleries in distilling Low Wines or Spirits made from Malt only, or shall sell, send out, or deliver any Barley or any of such Malt from any such Malthouse, or any Malt from such Distillery, or Building or Place there, or convey away, hide, or conceal the same, every such Distiller or Maker of Low Wines or Spirits so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and all such Barley or Malt so taken or removed, and all such Barley or Malt so sold or sent out or delivered, or hid or concealed as aforesaid, shall be forfeited, and shall and may be seized by any Officer of Excise.

LXXIV. And be it further enacted, That no such Distiller or Maker of Low Wines or Spirits shall, from and after the said Tenth Day of *October* One thousand eight hundred and twenty seven, be allowed or entitled to claim any Part of the Allowance granted by the said recited Act passed in the Sixth Year of the Reign of His present Majesty, for or in respect of any Spirits by him or her distilled or made after that Day from Malt, except for Spirits distilled from such Malt only as shall have been made at Malting Premises entered for the Purpose only aforesaid, and which shall have been charged with Duty, and which shall have been stored and entered at such Distillery in such Book as aforesaid, and afterwards taken from such Building or Place so provided as aforesaid at such Distillery, to be used in the Distillery of such Distiller or Maker of Low Wines or Spirits, and at the Time of being so taken from such Building or Place shall have been entered in such Book as aforesaid, and shall have been actually used in making Wort or Wash distilled in such Distillery from such Malt only; and that every such Distiller shall deliver such Account and make such Declaration as are provided by an Act passed in the Fourth Year of the Reign of His present Majesty, for granting certain Duties of Excise upon Spirits distilled from

and if any Deficiency, to have taken Malt from the Storehouse without Entry.

Distiller clandestinely removing any Barley or Malt out of the Storehouse, or not consuming the same in the Distillery, &c. to forfeit 100*l*.

From 10th October 1827, the Allowances granted by 6 G. 4. c. 58. to Maltsters or Distillers shall not be made, except for Spirits distilled from Malt made and charged as herein described.

Account to be delivered and Declaration made as pro-

vided by recited Act, except as to Mashing Permits.

Proviso, that Persons other than Distillers may make Entry of Premises for making Malt to be consumed only in the Distillation of Spirits from Malt only.

In Cases of Loss or Damage of Malt by Fire or Water, the Justices at Quarter Sessions, or the Commissioners of Excise, upon Proof thereof, and that the Duties have been paid thereon, shall grant a Certificate of such Loss or Damage, and the Duties shall be repaid.

Corn or Grain in *Scotland* and *Ireland*, save and except as to Mashing Permits, which, from the Day and Year above mentioned, shall be no longer required, and shall be subject to all other the Regulations and Provisions contained or referred to in the said last-recited Act as to Malt used by Distillers or Makers of Low Wines or Spirits for the Distillation of Spirits from Malt only, in *Scotland* or *Ireland*, and as to the Payment of such Allowance, except so far as is altered by or shall be inconsistent with the Regulations of his Act.

LXXV. Provided always, and be it enacted, That it shall and may be lawful for any Person in the United Kingdom, other than such Distiller or Maker of Low Wines or Spirits, to make Entry, as a Maltster or Maker of Malt, of Premises for the Purpose of making Malt to be used and consumed only by Distillers or Makers of Low Wines or Spirits in *Scotland* or *Ireland*, in distilling Low Wines or Spirits made from Malt only, under and subject to the same Rules, Regulations, and Provisions to which such Distillers of Low Wines or Spirits themselves, making Entry as and for the Purpose aforesaid, are subjected; and it shall and may be lawful for any such Distiller or Maker of Low Wines or Spirits to obtain and use such Malt in distilling Low Wines or Spirits made from Malt only, and to claim and be entitled to and have the Allowance aforesaid in respect of such Spirits; any thing hereinbefore contained to the contrary thereof notwithstanding: Provided always, that it shall not be lawful for any Person making Entry, as a Maltster or Maker of Malt, of Premises for the Purpose of making Malt to be used and consumed only as aforesaid, to make or sell Malt for any other Use or Purpose at or from the Premises of which he or she shall have made such Entry as aforesaid.

LXXVI. And be it further enacted, That if any Malt shall be destroyed or damaged by Fire, or shall perish or be damaged by the casting away of or by any inevitable Accident happening to any Barge or Vessel in which such Malt shall be transporting or shall have been transported from any Part of the United Kingdom to any other Part thereof, or on which such Malt shall have been put on board for that Purpose, it shall be lawful for the Proprietor or Proprietors of such Malt to make Proof of such Accident, and of the Cause thereof, on the Oath or Oaths of One or more credible Witness or Witnesses, and of the Duty upon such Malt having been duly charged and paid by the Maltster or Maker thereof, before the Justices of the Peace, at Quarter Sessions, for the County, Shire, Division, City, Town, or Place where such Malt shall have been made, or at or next adjoining to the Place where such Accident shall have taken place or shall have been first discovered, or where the Vessel on which such Malt shall have been loaded or put on board, or before the Commissioners of Excise, or any Three of them, who are hereby respectively authorized and required to examine any Witness or Witnesses thereupon, upon Oath (which Oath they are hereby respectively authorized to administer), and upon Proof being made before them by such Witness or Witnesses, or by legal Documents, that such Malt had been entirely lost or totally destroyed as aforesaid, and that the Duties thereupon had been duly charged

charged and paid, to grant a Certificate thereof, and of the Amount of such Duties, under their respective Hands; upon the Production of which Certificate to the Collector of Excise of the Collection in which such Duties shall have been charged, such Collector shall and he is hereby authorized and required to pay or allow to the Proprietor or Proprietors of such Malt, out of the Money arising from any Duties of Excise upon Malt in his Hands, so much Money as the Sum specified in such Certificate as aforesaid for such Duties shall amount to; or upon Proof being made as aforesaid, that the Malt, though not entirely lost or totally destroyed, had been damaged as aforesaid, and that the Duties thereupon had been duly charged and paid, it shall be lawful for such Justices or Commissioners, and they are hereby respectively authorized to adjudge and determine the Quantum of such Damage, and to grant a Certificate of the Sum to be repaid or allowed for or in respect of such Damage (such Repayment or Allowance bearing the same Proportion only to the whole Duty charged and paid upon such Malt so damaged as the Damage thereof shall bear to the Value of such Malt before it was damaged); and upon the Production of such Certificate as last aforesaid to the Collector of Excise of the Collection in which such Duties shall have been charged, such Collector of Excise shall and he is hereby authorized and required to repay or allow to the Proprietor or Proprietors of such Malt so damaged, out of the Money arising from any Duties of Excise upon Malt in his Hands, so much Money as the Sum specified in such Certificate as last aforesaid to be repaid or allowed, shall amount unto.

LXXVII. Provided always, and be it enacted, That no Person or Persons shall be entitled to any Relief in such Case as aforesaid, unless a Notice in Writing, describing the Nature, Cause, and Extent of such Accident as aforesaid, shall be delivered to the Commissioners of Excise, or to the Supervisor of Excise of the District in which such Loss shall have taken place or shall have been first discovered, within Three Days next after the same shall have taken place or been so discovered; or unless the Person or Persons by whom such Loss shall have been sustained, or the Agent of such Person or Persons, shall give or leave Notice in Writing of his, her, or their Intention to apply for such Relief, with the Collector or Supervisor of Excise of the Collection or District where the Quarter Sessions are to be held at which he, she, or they there intend to apply for such Relief, or to the Solicitor of Excise for the summary Jurisdiction of the Commissioners of Excise in *London*, where such Application shall be intended to be made to such Commissioners, Fourteen Days at the least before the Beginning of such Quarter Sessions, or before such Application to such Commissioners; and unless such Person or Persons shall apply for such Relief within One Month after such Accident shall have taken place or have been first discovered, or at the next General Quarter Sessions of such Justices which shall take place after the Expiration of such Month; any thing in this Act or in any other Act or Acts to the contrary thereof notwithstanding.

LXXVIII. Provided also, and be it enacted, That after such Justices of the Peace or Commissioners of Excise shall have once examined

No Person entitled to such Relief unless Notice be given of the Accident within Three Days afterwards, and of the intended Application for Relief 14 Days previous thereto, and within a Month after the Accident, &c.

Decision of Justices, &c. to be final.

examined and ascertained such Loss or Damage, their Decision thereon shall be final.

LXXIX. And in order to secure the Duties of Excise on Malt from time to time due and owing from any Maltster or Maker of Malt on whom such Duties shall have been charged, or by whom they have become payable, and for the Enforcement of all Penalties incurred by any Maltster or Maker of Malt for any Offences committed against this Act or any other Act or Acts relating to the Revenue of Excise on Malt, be it enacted, That all Malt and Corn or Grain, and all Vessels and Utensils for the making or keeping of Malt, in the Custody or Possession of such Maltster or Maker of Malt, or in the Custody or Possession of any other Person or Persons to the Use of or in Trust for such Maltster or Maker of Malt, shall be and remain subject and liable to, and the same are hereby made chargeable with, all the Duties of Excise on Malt which during the Time of any such Custody or Possession shall have been charged or shall become chargeable upon, or be in arrear or owing from or by such Maltster or Maker of Malt, for or in respect of any Malt by him or her made during such Time as aforesaid, and shall also be and remain subject and liable to all Penalties and Forfeitures which during any such Custody or Possession shall have been incurred by such Maltster or Maker of Malt, for any Offences by such Maltster or Maker of Malt committed against this Act or any other Act or Acts relating to the Revenue of Excise; and all such Malt and Corn or Grain, and all such Vessels and Utensils as aforesaid, shall be and remain subject and liable to all such Duties, Penalties, and Forfeitures, into whose Hands soever the same shall afterwards come, or by what Conveyance or Title whatsoever the same shall be claimed; and it shall be lawful in all such Cases to levy thereupon such Duties, Penalties, and Forfeitures, and to use such Proceedings for the Recovery or Enforcement of such Duties, Penalties, and Forfeitures respectively, as may lawfully be done in Cases where the Debtors or Offenders are the true and lawful Owners of such Goods, Utensils, or Vessels.

All Malt, Utensils, and Vessels to be subject to Arrears of Duty, Penalties, and Forfeitures.

Former Regulations which are inconsistent with this Act declared to be repealed.

LXXX. And be it further enacted, That all Laws, Powers, Authorities, Rules, Regulations, Restrictions, Exceptions, Provisions, Clauses, Matters, and Things, provided for or contained in any Act or Acts in force at or immediately before the Commencement of this Act, relating to the Revenue of Excise on Malt made in any Part of the United Kingdom of *Great Britain and Ireland*, or relating to Permits for the Removal of Malt, or to any Matter or Thing expressly provided for by this Act, which is or are repugnant to or inconsistent with the several Matters, Clauses, Provisions, and Regulations of this Act, or any of them, shall be and the same are hereby respectively, from the said Tenth Day of *October* One thousand eight hundred and twenty-seven, repealed, and shall after that Day be no longer put in force or observed in any Part of the United Kingdom, save and except as to the Recovery of any Penalty or Forfeiture before that Day incurred under or by virtue of any Act or Acts or any Part Parts of any Act or Acts by this Act repealed as aforesaid.

LXXXI. And

LXXXI. And be it further enacted, That all Fines, Penalties, and Forfeitures imposed by this Act shall be sued for, recovered, levied, mitigated, and distributed (except where other Provisions are by this Act specially made in such Behalf) by such Ways, Means, Methods, and in such Manner, in *Great Britain and Ireland* respectively, as any Fine, Penalty, or Forfeiture imposed by any Act or Acts relating to the Revenue of Excise in *Great Britain and Ireland* respectively, may be sued for, recovered, levied, mitigated, and distributed.

Fines, Penalties, and Forfeitures to be recovered, mitigated, and distributed as by former Laws.

LXXXII. And be it further enacted, That this Act shall extend and be deemed and construed to extend to the whole of the United Kingdom of *Great Britain and Ireland*, except as to the several Rules, Regulations, and Provisions specially provided for by this Act in respect of Brewers of Beer for Sale in *Ireland*, which shall extend to *Ireland* only, and the Conditions upon which the Allowances upon Spirits distilled from Malt only in *Scotland and Ireland* are from henceforth to be granted, and which shall extend to *Scotland and Ireland* only; and this Act shall commence and take Effect from and immediately after the Tenth Day of *October* One thousand eight hundred and twenty-seven.

Act to extend to the United Kingdom.
Exceptions.

LXXXIII. And be it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed in this present Session of Parliament.

Commencement of Act.

Act may be altered this Session.

C A P. LIII.

An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout *Great Britain and Ireland*. [2d July 1827.]

‘WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to consolidate the several Boards of Customs, and also the several Boards of Excise, of Great Britain and Ireland*, His Majesty was empowered to appoint Commissioners of Excise for the Collection and Management of the whole of the Revenue of Excise arising in and throughout the whole of the United Kingdom of *Great Britain and Ireland*: and Whereas the Laws relating to His Majesty’s Revenue of Excise have become very numerous and complicated, and it would greatly tend to the Public Benefit to consolidate and amend the same, and for that Purpose to collect into One Act the several Powers, Authorities, Regulations, and Provisions thereof, which apply or relate generally to the Collection and Management of the said Revenue;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, His Heirs and Successors, from time to time to appoint, under the Great Seal of the United Kingdom, any Number of Persons not exceeding Thirteen to be Commissioners of Excise for the Collection and Management of the whole of the Revenue of Excise arising in and throughout the whole of the United Kingdom of *Great Britain and Ireland*, and the Islands and Territories there-

4 G. 4. c. 23.

Authorizing the Appointment of Commissioners of Excise for the United Kingdom, and Assistant Commissioners for

Scotland
and Ireland.

unto respectively belonging, and also to appoint any Number of Persons not exceeding Four to be Assistant Commissioners of Excise, to sit and act in manner hereinafter mentioned, in and for *Scotland and Ireland*; and that each of such Commissioners and Assistant Commissioners, when so appointed, shall have and hold his respective Office during His Majesty's Pleasure.

Four Commis-
sioners shall
constitute a
Board of Ex-
cise.

II. And be it further enacted, That any Four or more of the Commissioners of Excise shall constitute a Board of Commissioners of Excise for the United Kingdom, for the Collection and Management of the whole of the Revenue of Excise arising in and throughout the whole of the United Kingdom of *Great Britain and Ireland*, and the Islands and Territories thereunto respectively belonging, and of all the Duties imposed or to be imposed by any Act or Acts of Parliament which have been or are or shall be made payable to His Majesty, His Heirs and Successors, as Duties of Excise, or Duties under the Collection and Management of the Commissioners of Excise, and of all Arrears of any of such Duties, and of all Penalties and Forfeitures arising or which shall have arisen, or shall arise or accrue, or remain or become due to His Majesty, His Heirs and Successors, within the said United Kingdom of *Great Britain and Ireland*, and the Islands and Territories thereunto respectively belonging, under any Law or Laws touching or relating to the said Revenues; and that every such Board shall have full Power and Authority to order and direct, and to do and permit to be done, throughout the United Kingdom, or in any Part thereof, all Acts, Matters, and Things which shall by this Act, or by any other Act or Acts of Parliament, be required to be made or done by the Commissioners of Excise, or which shall relate to or in anywise concern the Revenue under their Collection and Management; and that all Rules, Orders, Acts, Matters, and Things relating to or concerning the said Revenue, which shall have been or shall be made or done by any such Board, shall be good, valid, and effectual in Law, to all Intents and Purposes whatsoever, as if made or done by all the Commissioners of Excise: Provided always, that every such Board, and the Commissioners of Excise respectively, shall in all Things relating to the Execution of the Duty of such Board, or of such Commissioners respectively, be subject to the Authority, Direction, and Control of the Lord High Treasurer and Commissioners of the Treasury, and shall obey all Orders and Instructions which shall have been or shall from time to time be issued to such Board or Commissioners in that Behalf by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury.

Their Power
and Authority.

Commissioners
to be subject to
the Orders and
Control of the
Treasury.

Wales and
Berwick-upon-
Tweed includ-
ed in all Acts
mentioning
England or
Great Britain.
Definition of
other Terms.

III. And be it declared and enacted, That in all Cases relating to the Revenue under the Collection and Management of the Commissioners of Excise, where '*England*' or '*Great Britain*' is or shall be mentioned in this Act, or in any other Act or Acts of Parliament relating to the Revenue of Excise, the same shall be deemed and taken to extend to and include *Wales*, and the Town of *Berwick-upon-Tweed*; and that where '*the United Kingdom*' is or shall be mentioned, the same shall be deemed and taken to extend to and include *Great Britain and Ireland*, and the Islands and Territories thereunto respectively belonging; and

and that where 'the Revenue of Excise' is or shall be mentioned, the same shall be deemed and taken to extend to and to include the whole Revenue under the Collection and Management of the Commissioners of Excise; and that where any Power or Authority (excepting such Power and Authority as is restricted to the Limits of the Chief Office of Excise in *London*) is or shall be given to the Commissioners of Excise generally, the same shall be deemed and taken to extend over and throughout the United Kingdom as aforesaid; and that where any Power or Authority is or shall be given to the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, the same shall be deemed and taken to extend only over and throughout *Scotland* or *Ireland*, and the Islands and Territories thereof respectively; and that this Act, and the several Provisions thereof respectively, shall be deemed and taken to apply to all Acts of Parliament relating to the Revenue of Excise which shall hereafter be made, except in any of the above Cases where the same shall be otherwise specially directed or provided.

IV. And be it further enacted, That it shall be lawful for the Commissioners of Excise, or any Four or more of them, and they are hereby authorized and required from time to time to appoint, by Writing under their Hands and Seals, such and so many Collectors and other subordinate Officers, and Accomptants, Clerks, and Assistants, for collecting, receiving, managing, and accounting for the said Revenue of Excise, as to the said Commissioners, or any Four or more of them, shall seem meet and requisite, taking in the Name of His Majesty, from them and every of them, sufficient Security for the due Performance of the respective Duties committed to their Charge; and all such Commissions and Appointments shall be deemed, construed, and taken to be good, valid, and effectual, and the Persons holding the same shall have full Power and Authority in respect thereof to execute the Duties of their respective Offices, and to enforce, in the Execution thereof, all Laws, Regulations, Penalties, and Forfeitures relating to the said Revenue in every Part of the United Kingdom; and it shall be lawful for the said Commissioners, or any Four or more of them, and they are hereby authorized to place, remove, promote, suspend, reduce, discharge, or restore, as they shall see Cause, any such Collector or other subordinate Officers, or Accomptants, Clerks, or Assistants, and to allow and pay to them respectively for their Salaries, and to them or to any other Person or Persons, for Charges necessarily arising in the Collection or Management of the said Revenue, such Sum and Sums of Money, Allowance and Allowances, as shall be conformable to such Rules, Regulations, and Directions as may from time to time be received by the said Commissioners from the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, for the Direction and Guidance of the Commissioners of Excise in such Behalf: Provided always, that the Number of each Description of Officers and Persons so to be appointed shall not in any Case (except as hereinafter mentioned) exceed the Number which shall be fixed and allowed by any general Warrant or Warrants, Order or Orders, which shall have been or shall from time to time be issued for that Purpose by such Lord High Treasurer

Commissioners to appoint Collectors and other subordinate Officers, and to give them such Salaries and Allowances as the Treasury shall direct.

The Number of inferior Officers shall not be increased without the Permission and Approval of the Treasury.

surer or Commissioners of the Treasury : And provided also, that in all Cases in which it may be deemed necessary to appoint a greater Number of Officers of the lowest Class than shall have been authorized by any such Warrant or Warrants, Order or Orders, the Persons to be named to every such Appointment shall be submitted by the Commissioners of Excise to and approved by such Lord High Treasurer or Commissioners of the Treasury.

Inferior Officers shall continue, notwithstanding any Change of the Commissioners.

V. Provided always, and be it enacted, That all Collectors and other subordinate Officers, and Accomptants, Clerks, and Assistants, who are or have been or shall be from time to time duly and legally appointed by the Commissioners of Excise, do and shall remain and continue in their respective Offices notwithstanding the Death or Removal of any Commissioner or Commissioners by whom they were so appointed, and notwithstanding any Alteration, Change, or other Determination of the Commission of such Commissioners, until the respective Appointment of such Collectors or other subordinate Officers, or Accomptants, Clerks, or Assistants, shall become void by Death, or shall be revoked by the Commissioners of Excise.

Appointment of Assistant Commissioners for Scotland and Ireland, under the Control of the Commissioners of Excise.

VI. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, from time to time to order and direct any one or more of the Commissioners of Excise, together with Two of the Assistant Commissioners of Excise, to sit and act as such Commissioner or Commissioners and Assistant Commissioners respectively in and for *Scotland*, and to order and direct any one or more of the Commissioners of Excise, together with Two of the Assistant Commissioners of Excise, to sit and act as such Commissioner or Commissioners and Assistant Commissioners respectively in and for *Ireland*, for the Dispatch of Business in those Parts respectively of the United Kingdom, under the Control and Direction nevertheless of the Board of Commissioners of Excise; and that such Commissioner or Commissioners and Assistant Commissioners for *Scotland* and *Ireland* respectively (under such Control and Direction as aforesaid) shall have and be invested with the Collection and Management of the Revenue of Excise, and all Matters and Things relating thereto arising in *Scotland* and *Ireland* respectively; and that any Two of such Commissioner or Commissioners and Assistant Commissioners, in *Scotland* and *Ireland* respectively, shall (under such Control and Direction as aforesaid) have full Power and Authority to order and direct, and to do and permit to be done, all Acts, Matters, and Things relating to the Revenue of Excise in *Scotland* and *Ireland* respectively; and that all Rules, Orders, Acts, Matters, and Things which shall have been or shall be so made and done by such Commissioner or Commissioners and Assistant Commissioners, or any Two of them, in *Scotland* and *Ireland* respectively, shall be good, valid, and effectual in Law, to all Intents and Purposes whatsoever: Provided always, that all and every such Commissioner or Commissioners and Assistant Commissioners, in *Scotland* and *Ireland* respectively, shall in all Things observe, perform, and fulfil, and cause to be observed, performed, and fulfilled, in and throughout *Scotland* and *Ireland* respectively, the several Orders, Rules, Directions, and Regulations, touching or relating to the said Revenue,

Revenue, which shall have been or shall be made or given by the Board of Commissioners of Excise.

VII. And be it further enacted, That no Person who shall be appointed to be a Commissioner or Assistant Commissioner of Excise, or who shall be appointed to any other Office relating to the Revenue of Excise, shall be capable of acting as such Commissioner or Assistant Commissioner, or in any other such Office, until he shall, before Two or more Justices of the Peace in the County where his Office is or shall be, or before One of the Barons of the Exchequer of *England, Scotland, or Ireland*, take and subscribe the Oath hereinafter following; that is to say,

‘ I *A. B.* do swear to bear true Allegiance to His Majesty, and to execute the Office of _____, to which I am appointed, truly and faithfully, without Favour or Affection; and that I will from time to time true Account make and deliver to such Person or Persons as shall be duly appointed to receive the same; and that I will not take any Fee or Reward in or for the Execution of the said Office from any other Person than His Majesty, or those whom His Majesty shall appoint in that Behalf.’

And the Justices of the Peace, or Baron of the Exchequer, before whom such Oath as aforesaid shall have been taken and subscribed, shall certify the taking thereof as aforesaid to the General Quarter Sessions, or Court of Exchequer, as the Case may be, to be there recorded, and to the Auditor of Excise, by whom such Certificate shall be entered; and if any Person shall act as a Commissioner or Assistant Commissioner of Excise, or in any other Office relating to the Revenue of Excise, before he shall have taken and subscribed such Oath as aforesaid, such Person shall, for every Month in or for which he shall have so acted, without having taken such Oath, forfeit and lose the Sum of Fifty Pounds.

VIII. And be it further enacted, That no Person being a Member of the Commons House of Parliament shall, during the Time of his being such Member of Parliament, be capable of being a Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal under this Act, or of being an Officer of Excise, or Person employed in the charging, collecting, or managing of any Part of the Revenue of Excise, or in comptrolling or auditing the Accounts thereof, nor shall be capable of taking, holding, or executing, or being in any manner concerned in executing, either by himself or Deputy, or by any other Person or Persons in Trust for him, or for his Use and Benefit, any such Office or Employment; and if any Person shall, during the Time of his being a Member of the Commons House of Parliament, at any Time take, hold, or execute, or be in any manner concerned in executing, either by himself or Deputy, or by any other Person or Persons in Trust for him, or for his Use and Benefit, any such Office or Employment as aforesaid, such Person shall be and is hereby declared to be incapable of sitting, voting, or acting in any manner as a Member of the Commons House of Parliament in such Parliament.

IX. And be it further enacted, That no Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal under this

No Person shall be capable of acting in any Office under the Excise before he has taken the following Oath.

Certificate of the taking of such Oath to be recorded.

Penalty 50*l.*

No Member of the House of Commons to be a Commissioner or Officer of Excise.

No Officer to vote or interfere in Election

tions for
Members of
Parliament,
under a Penalty
of 500*l.* and of
being rendered
incapable
of holding any
Office.

this Act, or any Officer of Excise, or Person employed in the charging, collecting, or managing of any Part of the Revenue of Excise, or in comptrolling or auditing the Accounts thereof, shall be capable of giving his Vote for the Election of any Person to serve in Parliament; and if any Commissioner, or Assistant Commissioner, or Commissioner of Appeal, or any Officer or other Person hereby made incapable of voting as aforesaid, shall nevertheless presume to give his Vote during the Time he shall hold, or within Two Calendar Months next after he shall have ceased to hold or execute any Office or Employment as aforesaid, such Vote so given shall be held null and void to all Intents and Purposes whatsoever; and every such Commissioner, Assistant Commissioner, Commissioner of Appeal, Officer, and Person as aforesaid, who shall give any such Vote, or who shall, by Word, Message, or Writing, or in any other Manner whatsoever, endeavour to persuade any Elector to give, or to dissuade any Elector from giving his Vote for the Election of any Person to serve in Parliament, shall for every such Offence (the same being proved by Two or more credible Witnesses upon Oath) forfeit and lose the Sum of Five hundred Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety thereof to the Poor of the Parish in which such Offence shall have been committed and such Penalty incurred; and every such Penalty shall and may be recovered by any Person who shall, within Twelve Months next after such Penalty shall have been incurred, inform or sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster, Edinburgh, or Dublin*, in which no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparance, shall be allowed; and every Person convicted of any such Offence shall be and is hereby declared to be incapable of ever holding or executing any Office or Place of Trust whatsoever under His Majesty, His Heirs or Successors: Provided always, that nothing herein contained shall extend, or be deemed or construed to extend, to repeal or to alter any of the Laws touching or in anywise relating to Election in any Part of the United Kingdom, excepting so far as is hereby expressly provided.

No Person
holding any
Office of Excise
shall deal in
any Goods sub-
ject to the
Excise Laws.

X. And be it further enacted, That no Officer of Excise or Person employed in the Collection or Management of or accounting for the Revenue of Excise, or any Part thereof (except the Keeper of an Office of Excise as hereinafter mentioned), shall, whilst he shall be such Officer, or so employed as aforesaid, deal or trade in any Goods or Commodities subject to any Duty of Excise, or shall carry on or be concerned in any Trade or Business which is or shall be under or subject to any Law or Laws of Excise, upon Pain of forfeiting for such Offence, on due Conviction thereof, his Office or Employment, and being by such Conviction rendered incapable of ever holding any Office, Trust, or Employment in or relating to the Revenue of Excise.

Commissioners
and Officers of
Excise exempted
from serving
in any public
Office, or in
the Militia.

XI. And be it further enacted, That no Commissioner or Assistant Commissioner of Excise, or Officer of Excise, or Person employed in the Collection or Management of or accounting for the Revenue of Excise, or any Part thereof, shall, during the Time of his acting as such Commissioner or Assistant Commissioner

sioner or Officer, or being so employed as aforesaid, be compelled to serve as a Mayor or Sheriff, or in any corporate or parochial or other public Office or Employment, or to serve on any Jury or Inquest, or in the Militia; any Law, Usage, or Custom to the contrary thereof notwithstanding.

XII. And be it further enacted, That if any Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal under this Act, or any Officer of Excise, or Person employed in the Collection or Management of or accounting for the Revenue of Excise, or any Part thereof, shall directly or indirectly ask or demand, or take or receive any Sum of Money or other Recompence or Reward whatsoever, or any Promise or Security for any Sum of Money or other Recompence or Reward whatsoever, or shall make or enter into or acquiesce in any collusive Agreement with any Person or Persons to do or to conceal or to connive at any Act or Thing whereby any of the Provisions of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall or may be evaded or broken, or the said Revenue defrauded, or to do or perform, or to permit or suffer to be done or performed, any Act or Thing contrary to the Duty of such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or such Officer or Person so employed as aforesaid, or to neglect or forbear or omit to do or perform any Act or Thing belonging or appertaining to the Duty of such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, every such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, and so offending, shall for every such Offence forfeit and lose the Sum of Five hundred Pounds, and being thereof duly convicted, shall be thereby rendered incapable of thereafter serving His Majesty in any Office or Employment whatsoever; and if any Person shall directly or indirectly give or offer or promise to give to such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, any Sum of Money or other Recompence or Reward whatsoever, or any Security for any Sum of Money or other Recompence or Reward whatsoever, or shall propose or make or enter into any collusive Agreement with such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, in order to corrupt and prevail upon such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or such Officer or Person so employed as aforesaid, to do or to conceal or to connive at any Act or Thing whereby any of the Provisions of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall or may be evaded or broken, or the said Revenue defrauded, or to do or perform, or to permit or suffer to be done or performed, any Act or Thing contrary to the Duty of such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or such Officer or Person so employed as aforesaid, or to neglect or forbear or omit to do or perform any Act or Thing belonging or appertaining to the Duty of such Commissioner or Assistant Commissioner of Excise, or Commissioner of

Penalty on Persons employed in the Excise taking Money or Reward, or entering into any collusive Agreement contrary to their Duty.

Penalty on Person offering such Reward or proposing such Agreement, 500*l*.

of Appeal, or such Officer or Person so employed as aforesaid, every Person so offending shall for every such Offence (whether such Sum of Money or other Recompence or Reward, or Promise or Security for the same, or such Agreement, be received, accepted, entered into, acquiesced in, or performed, or not), forfeit and lose the Sum of Five hundred Pounds.

Indemnification of either Party first giving Information against the other.

XIII. Provided always, and be it enacted, That in case any Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, who shall have directly or indirectly asked or demanded, or taken or received, any Sum of Money or other Recompence or Reward whatsoever, or any Promise or Security for the same, or who shall have made or entered into or acquiesced in any collusive Agreement as aforesaid, shall, before any Complaint or Information shall have been made or given, or any Proceeding had against him for committing such Offence, give Information of the Gift or Offer of, or Promise to give any Sum of Money or other Recompence or Reward whatsoever, or any Security for the same, or of any collusive Agreement proposed or made or entered into as aforesaid, and Proceedings being thereupon instituted, such Penalty as aforesaid shall be recovered against the Person concerning whom such Information shall have been given; or in case any Person who shall have directly or indirectly given or offered, or promised to give, any Sum of Money, or other Recompence or Reward whatsoever, or Security for the same, or who shall have proposed or made or entered into any collusive agreement as aforesaid, shall, before any Complaint or Information shall have been made or given, or any Proceedings had against him or her for having committed such Offence, give Information of the asking or demanding, or of the taking or receiving as aforesaid, of any Sum of Money, or other Recompence or Reward whatsoever, or any Promise or Security for the same, or of any collusive Agreement made or entered into or acquiesced in as aforesaid, by any such Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, and Proceedings being thereupon instituted, such Penalty as aforesaid shall be recovered against the Commissioner or Assistant Commissioner of Excise, or Commissioner of Appeal, or Officer or Person so employed as aforesaid, concerning whom such Information as aforesaid shall have been given; then and in either of such Cases the Party so first giving Information as aforesaid shall be exempted from and indemnified against the Penalties and Disabilities imposed on such Party for such Offence by this Act.

The Board of Commissioners of Excise to sit at the Chief Office of Excise established in London :

XIV. And be it further enacted, That the Board of Commissioners of Excise shall sit at the Chief Office of Excise established in London, and directed and appointed to be called *The Excise Office* by an Act passed in the Eighth Year of the Reign of His late Majesty King George the Third (amongst other Things), for carrying into Execution an Agreement made for the Purchase of *Gresham College* and the Ground and Buildings thereunto belonging, and for vesting the same unalienably in the Crown, for the Purpose of erecting and building an Excise Office there; or at such other Place within the Limits hereinafter mentioned, as the Lord High Treasurer, or any Three or more of the Commissioners of

of the Treasury, shall in that Behalf appoint ; and that in all Cases, and to and for all Intents and Purposes whatsoever, the Chief Office of Excise shall be deemed and taken to be the Office of Excise unto which all other Offices of Excise within the United Kingdom shall be subordinate and accountable ; and that all Parts of the Cities of *London* and *Westminster*, the Borough of *Southwark*, and the several Suburbs thereof, and Parishes within the Weekly Bills of Mortality, together with the Parishes of *Saint Mary-le-bone* and *Saint Pancras* in the County of *Middlesex*, shall be within and under and subject to the immediate Jurisdiction of such Chief Office of Excise.

The Limits thereof.

XV. And be it further enacted, That an Office of Excise shall be held and kept in *Edinburgh* and in *Dublin* respectively; and the Commissioners of Excise shall appoint, under their Hands and Seals, or under the Hands and Seals of any Four of them, such Person as they think needful in *Edinburgh* and in *Dublin* respectively, and in each such respective Town throughout the United Kingdom in which a Market is or may be legally held every Week, or oftener, throughout the Year, as they may think fit, and in the several Towns of *Holyhead*, *Llangefni*, and *Llanerchymeth*, in addition to the Market Town of *Beaumaris*, in the County of *Anglesea*, to hold and keep therein, and in some known and public Place thereof, an Office of Excise, at which all Entries shall be made (other than the Entry required to be made of any Building, Place, Vessel, or Utensil for the Purpose of carrying on Trade or Business), and at which all Duties of Excise shall be received, and all other Matters and Things relating thereto shall be performed, as is or shall be directed by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise ; and the Person respectively so appointed (the Place where he or she intends to hold or keep such Office being immediately after such Appointment published in full and open Market, or otherwise publicly made known) shall attend at and keep open such Office during such Times as are in this Act or may hereafter be in that Behalf directed.

Offices of Excise to be held in *Edinburgh* and *Dublin*; and Commissioners to appoint Persons to hold Offices of Excise in the Market Towns of the United Kingdom, and in certain Towns in *Anglesea*.

XVI. And be it further enacted, That the Chief Office of Excise in *London*, and the Offices of Excise in *Edinburgh* and *Dublin* respectively, shall be kept open from Eight of the Clock in the Morning until Three of the Clock in the Afternoon ; and that the Office of Excise in every other Place shall be kept open from Eight of the Clock in the Morning until Two of the Clock in the Afternoon for the Transaction of Business, or from or to such other Hours as shall from time to time be directed by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury ; and that no Holidays whatever shall be permitted or allowed to be kept at the said Chief Office in *London*, or the Offices in *Edinburgh* and *Dublin* respectively, or at any other Office of Excise, except *Christmas Day* and *Good Friday* in every Year, and any Days which are or shall be appointed by His Majesty's Proclamation for the Purpose of a General Fast or Thanksgiving, the Anniversaries of the Restoration of His Majesty King *Charles* the Second, and of the Coronation of His Majesty, and the Birthdays of their Majesties and of the Prince of *Wales* and their respective Successors, and also such Days as are or shall

Regulation of Office Hours and Attendance, and Appointment of certain Days to be kept as Holidays.

shall be appointed by any Warrant issued for that Purpose by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury; but that all Business at the said Offices shall be carried on and performed on every Day throughout the Year, *Sundays* and the Days before mentioned only excepted; any Law, Custom, or Usage to the contrary notwithstanding: Provided always, that it shall and may be lawful for the Commissioners of Excise, and for the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, to direct and enforce the Attendance of any Officer, Clerk, or other Person employed in the Revenue of Excise, for any Time or at any Place when or where the same shall in the Judgment of such Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, be required for the better Discharge of the Official Duties of any such Officer, Clerk, or other Person.

Proof of keeping an Office or acting as an Officer to be admitted as sufficient till contrary Evidence produced.

XVII. And be it further enacted, That if, upon the Trial of any Indictment, Information, Action, Suit, or Prosecution whatsoever, or in any other legal or judicial Proceeding, any Question shall be made, or any Doubt or Dispute shall arise, touching or concerning the keeping of any Office of Excise, or whether any Person is or was a Commissioner or Assistant Commissioner of Excise, or a Collector or other Officer of Excise, or commissioned or appointed to act as such, Evidence of the actual keeping of such Office of Excise, or that such Person is, or at the Time in question was reputed to be, such Commissioner or Assistant Commissioner, or such Collector or other Officer, or does or did then act as such Commissioner or Assistant Commissioner, or as such Collector or other Officer so commissioned and appointed (as the Case may require), shall in every such Case be admitted and be deemed and taken to be respectively sufficient and legal Proof of such Facts respectively, without producing or proving the particular Commission, Appointment, or other Authority, whereby such Person is or was commissioned or appointed to be such Commissioner or Assistant Commissioner, or such Collector or other Officer as aforesaid, unless by other Evidence the contrary be made to appear; any Law, Custom, or Usage to the contrary thereof notwithstanding.

In what Manner the Entry of Premises, &c. subject to the Survey of the Excise shall be made.

XVIII. And be it further enacted, That all and every Person or Persons required to make Entry of any Building, Place, Vessel, or Utensil, under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall deliver such Entry, with his or their Signature thereto, to the Officer of Excise in whose Survey such Building, Place, Vessel, or Utensil shall be intended to be used; and such Officer shall copy such Entry into the Book kept and known by the Name of the General Entry Book, for the Division or Ride in which such Building, Place, Vessel, or Utensil shall be intended to be used; and the Supervisor of the District shall examine and compare the Copy so made in such Book as aforesaid with the original Entry; and such Officer, upon his being removed from such Division or Ride, shall deliver over to the Officer succeeding him in such Station, such Book and all such original Entries.

.XIX. And

XIX. And be it further enacted, That where upon the Trial of any Indictment, Information, Action, Suit, or Prosecution, or upon any other legal or judicial Proceeding whatsoever, any such original Entry shall be tendered or offered in Evidence, it shall be lawful to prove by any credible Witness the Signature or Signatures to such Entry to be the Handwriting of the Person or Persons by whom or in whose Name or Names such Entry was made; and that in any such Case it shall not be necessary to prove such Entry by the Testimony of the Officer who received, or of the Person who may have attested such Signature or Signatures, or the Receipt of such Entry; and if upon any Trial as aforesaid, or upon any other legal or judicial Proceeding, any Question shall be made or shall arise, whether any Building or Place, or any Vessel or Utensil, of which Entry is required to be made under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, was entered by the Person or Persons by whom the same shall have been used, it shall be deemed and taken to be sufficient Proof of such Entry, if upon the Production of any credible Witness of the Entry Book of the Division or Ride in which such Building, Place, Vessel, or Utensil shall have been used, such Building, Place, Vessel, or Utensil shall be found, or shall appear in the Copy, or what shall purport to be the Copy in such Book of any Entry thereof, made by such Person or Persons as aforesaid; and if, upon the Production of such Book, no such Building, Place, Vessel, or Utensil shall be found, or shall so appear therein, or if found shall so appear to have been entered for another or different Purpose than the Purpose for which the same shall be charged or alleged to have been used by such Person or Persons, every such Building, Place, Vessel, or Utensil shall be deemed and taken to be and † unen-
† *See* entered to all Intents and Purposes whatsoever, unless by other Evidence the contrary be made appear; any Law, Custom, or Usage to the contrary thereof notwithstanding: Provided always, that where in any Indictment or Information it shall be averred that any Person or Persons was or were a Trader or Traders under any Law or Laws of Excise, it shall not be necessary to prove the same by the Production or Proof of any Entry made by or in the Name of such Person or Persons.

XX. And be it further enacted, That no Entry of any Building, Place, Vessel, or Utensil, made by any Person or Persons under any Act or Acts of Parliament relating to the Revenue of Excise, shall be or be deemed or taken to be a legal Entry thereof, unless the same shall have been made by and be in the Name or Names of a Person or Persons who shall, at the Time of making such Entry, have attained the Age of Twenty one Years, and who shall be the true and real Owner or Owners of the Trade or Business therein or thereby carried on, or in respect of which such Entry of such Building, Place, Vessel, or Utensil shall have been made: Provided always, that the Person or Persons who shall act as the visible Owner or Owners of any Trade or Business in respect of which any such Entry shall have been made, or by whom the same respectively shall be occupied or used, or who shall have the principal Management thereof, shall in all respects, and notwithstanding the Minority of such visible Owner or Owners,
7 & 8 GEO. IV. Z be

What shall be
sufficient Proof
of such Entry.

No Entry shall
be legal except
in the Name
of the real
Owner; but the
ostensible
Owner shall be
liable.

be subject and liable to all Duties, Penalties, and Forfeitures imposed by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, or any Part thereof, to which the real Owner or Owners of such Building, Place, Vessel, or Utensil, or of such Trade or Business therein or thereby carried on, would have been liable; and all Stock in such Trade or Business, and all Materials, Vessels, and Utensils which shall then and there be found in or upon such Building or Place, to whomsoever the same shall then and there belong, shall be subject to and be charged with all such Duties, Penalties, and Forfeitures.

In the Entry of Premises, Vessels, &c. the same to be distinguished by Letters or Numbers, and fixed Pipes to be painted, under Penalty of 100*l*.

XXI. And be it further enacted, That every Person making Entry of any Building, Place, Vessel, or Utensil, under any Act or Acts of Parliament relating to the Revenue of Excise, shall in every such Entry distinguish and describe every such Building, Place, Vessel, or Utensil, by a particular Letter or Number, and shall, to the Satisfaction of the Supervisor or Surveyor of the District or Division, paint such respective Letter or Number in a large and distinct Character upon some convenient and conspicuous Part of the Outside of the Walls or Doors of every such Building and Place, and upon some convenient and conspicuous Part of the Outside of every such Vessel and Utensil, and shall continue the same so painted, and from time to time and when Occasion shall require, or when requested by the Supervisor or Surveyor of Excise of the District or Division, shall renew the same so long as the Entry thereof shall remain uncanceled, so that such Letter or Number so painted may be easily and distinctly observed and known by the Officers of Excise; and wherever any such Person shall use or employ, in any entered Building or Place, any fixed Pipe, every such Person, when required by the Supervisor or Surveyor of Excise, by a written Notice, shall paint and continue painted every such Pipe, throughout its whole Length and over its whole exterior Surface, with a distinct Oil Colour or Oil Colours, to the Satisfaction of the Supervisor or Surveyor of Excise of the District or Division; and every such Person, after such Notice, shall also deliver, in addition to the Entry required to be made by such Person of any such Building, Place, Vessel, or Utensil, and as Part thereof, a Drawing or Drawings, or Description, distinctly showing or exhibiting and explaining the Course, Direction, Construction, and Use of every such Pipe respectively, and of every Branch thereof, and of every Cock therein, together with every Place, Vessel, and Utensil respectively, from and to or with which the same shall lead or communicate; provided always, that all Pipes or Parts of Pipes used for the same Purpose only, shall be painted of the same Colour; and if any such Person shall use any Building, Place, Vessel, or Utensil, by him or her entered, which shall not be so distinguished and described as aforesaid, or which shall not have such Letter or Number so painted and continued thereon as aforesaid, or shall use any fixed Pipe in any Building or Place so entered, which shall not be so painted, and so shown or exhibited and explained in any Drawing or Drawings, or Description, or different from or disagreeing with any Drawing or Description by him or her delivered thereof, every such Person using such Building, Place, Vessel, Utensil, or Pipe as aforesaid, shall

shall for every such Offence forfeit and lose, over and above all other Penalties, the Sum of One hundred Pounds.

XXII. And be it further enacted, That it shall be lawful for any Officer of Excise and his Assistants at any Time, either by Night or Day (but if between the Hours of Eleven at Night and Five in the Morning, then upon Request, and in the Presence of a Constable or other lawful Peace Officer, except in such Cases as are otherwise specially provided for by any other Act or Acts of Parliament relating to the Revenue of Excise), to enter into and remain so long as such Officer may think fit, for the Purposes hereinafter mentioned, in any Building or Place belonging to or used by any Person or Persons for the Purpose of carrying on any Trade or Business under or subject to any Law or Laws of Excise, or belonging to or used by any Person or Persons making or required to make any Entry of such Building or Place under any such Law or Laws; and it shall be lawful for such Officer of Excise and his Assistants to inspect any such Building or Place, and to take such Account as such Officer shall deem necessary, according to the several Laws, Provisions, and Regulations relating thereto, of all Matters and Things, and of all Works, Vessels, Utensils, Goods, and Materials belonging or in anywise appertaining to such Trade or Business; and it shall be lawful for such Officer, and he is hereby authorized and required, to charge any Duty or Duties imposed by any Act or Acts of Parliament relating to the Revenue of Excise which shall be then chargeable upon the Person or Persons carrying on such Trade or Business, and of such Account and Charge of Duty to make a Return or Report in Writing to the Commissioners of Excise, and to the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland*, or to such Person as the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively may direct; such Officer, in all Cases where the Minutes of the Entries made by him in taking such Account shall not appear on any such Specimen left as hereinafter mentioned, giving (if Demand be made thereof in Writing at the Time of taking such Account) a true Copy of such Charge, in Writing under his Hand, to the Person or Persons carrying on such Trade or Business; and every such Return and Report of such Officer as aforesaid shall be and shall be taken to be a Charge of such Duty or Duties upon such Person or Persons.

XXIII. And be it further enacted, That the Supervisor or Surveyor of Excise in whose District or Division any Person or Persons shall be who shall carry on any Trade or Business under or subject to any Law or Laws of Excise, or the Officer of Excise under whose Survey such Person or Persons shall be, may leave and deposit, in some conspicuous and open Part of some Building or Place entered by such Person or Persons for such Trade or Business, a certain Book or Paper called a Specimen, for recording therein Minutes of the Entries made by the Officers respectively who survey the Premises of such Person or Persons, or the Trade or Business of such Person or Persons, in the Books of such Officers, of the State of the Manufactory, and of the Accounts and Particulars of the Survey thereof, at any Time taken by such

Officer may enter any Building or other Place used for carrying on any Trade subject to Survey (if by Night in the Presence of a Constable), for the Purpose of inspecting the same or taking any Account, and charging the Duty of Excise.

Specimen Books may be left by the Officers on the Premises of Traders, and not to be removed or destroyed, under Penalty of 200*l*.

Officers respectively, and the Names and Minutes of Survey and Observations of any other Officer who may visit or inspect such entered Premises; and every Officer of Excise shall at all Times have free Access to such Book or Paper, with Liberty and Power to remove or take away the same, leaving a new Book or Paper for the like Purpose as aforesaid in lieu thereof; and if any Person, not being an Officer of Excise, shall remove or take away, or shall conceal or withhold any such Book or Paper, or shall damage or destroy the same, or alter, deface, or obliterate any Entry therein, or shall make any Entry therein, every such Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty on
hindering Offi-
cers, &c. in the
Execution of
their Duty.

XXIV. And be it further enacted, That if any Person shall oppose, molest, obstruct, or hinder any Officer of Excise, or any Person employed in the Revenue of Excise, or acting in the Aid or Assistance of any Officer or Person so employed, in the due Execution of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, or in the Execution of any of the Powers or Authorities by this Act or any such Act or Acts given or granted to such Officer or Person so employed, every Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Excise Traders
shall pay their
Duties at such
Time and
Place as shall
be appointed,
or upon De-
mand made by
Order of the
Commission-
ers, under pain
of forfeiting
double such
Duties.

XXV. And be it further enacted, That every Person carrying on any Trade or Business, under or subject to any Law or Laws of Excise, shall pay and clear off the Duty or Duties in that Behalf imposed by any Act or Acts of Parliament respectively in such Case made and provided, and charged upon or incurred by such Person, at such Time and Place and to such Person respectively as shall for that Purpose be specially directed in any Act or Acts of Parliament relating to such Duties respectively, or as shall be from time to time directed by the Commissioners of Excise; and if any such Person shall not pay and clear off such Duty or Duties at such Time and Place, and to such Person respectively as aforesaid, or upon Demand thereof made (under Order of the Commissioners of Excise or of the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively) by the Collector of Excise in whose Collection such Trade or Business shall be carried on, or by any Officer authorized and directed by such Collector, under such Order as aforesaid, to make such Demand (whether such Demand be made personally of any Person who shall have incurred such Duty or Duties, or shall be left at the Dwelling House of any such Person, or on the Premises where such Duty or Duties shall have been charged or incurred), every such Person shall forfeit and lose double the Value of the Duty or Duties so neglected to be paid and cleared off as aforesaid.

No Person
compelled to go
further than the
next Market
Town for mak-
ing Entries or
Payment of
Duties.

XXVI. Provided always, and be it enacted, That no Person who shall carry on Trade or Business in any such Market Town as aforesaid, or in any such other Town as hereinbefore specified, shall be compelled to travel out of such Market Town or other Town, for the Purpose of paying any Duty of Excise, or of making any Entry (other than the Entry required to be made of any Building, Place, Vessel, or Utensil for the Purpose of carrying on Trade or Business); and that no Person who shall carry on

Trade

Trade or Business out of any such Market Town, or other Town as aforesaid, shall be compelled to travel to any other Place than such Market Town, or other Town as aforesaid, next to the Place for or at which such Duty shall have been charged, or such Entry (other than as aforesaid) is required to be made for the Purpose of paying such Duty or making such Entry.

XXVII. And be it further enacted, That in all Cases in *Scotland or Ireland* where any Duties of Excise charged upon or payable by any Person or Persons shall be unpaid, and shall be in Danger of being lost to His Majesty, unless immediate Proceedings are taken for the Recovery of such Duty or Duties, it shall be lawful for the Collector of Excise, or other Officer in charge of the Collection within which such Duty or Duties shall have been charged or be payable, on Affidavit being made before him of the Facts, showing the Danger such Duty or Duties are in of being lost, to issue a Warrant under his Hand against every or any Person or Persons upon whom such Duty or Duties shall have been charged, or by whom the same shall be payable, empowering any Person or Persons to levy such Duty or Duties in like Manner as any Penalty may be levied by any Warrant issued under and by virtue of this Act; and such Warrant of such Collector or other Officer as aforesaid shall for that Purpose have the same Force and Effect as a Writ of Fieri facias issued at the Suit of His Majesty out of the Court of Exchequer; and such Collector or other Officer as aforesaid issuing any such Warrant shall forthwith transmit the Affidavit on which such Warrant was issued, with his Report of what had been done thereon, to the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland and Ireland* respectively; and it shall thereupon be lawful for such Commissioner or Commissioners and Assistant Commissioners respectively to stay the Proceedings, or to grant such other Relief on such Warrant as they shall think fit.

XXVIII. And in order to secure the Duties of Excise from time to time due and owing and in arrear from any Person or Persons carrying on any Trade or Business under or subject to any Law or Laws of Excise, and on or by whom such Duties shall have been charged or become payable, and for the Enforcement of all Penalties incurred by any Person or Persons for any Offences committed against this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, be it enacted, That all Goods and Commodities for or in respect whereof any Duty or Duties of Excise is, are, or shall be by Law imposed, and all Materials, Preparations, Utensils, and Vessels for the making thereof, or by which any such Trade or Business shall have been carried on, in the Custody or Possession of the Person or Persons carrying on such Trade or Business, or in the Custody or Possession of any other Person or Persons, to the Use of or in Trust for the Person or Persons carrying on such Trade or Business, shall be and remain subject and liable to, and the same are hereby made chargeable with, all the Duties of Excise which, during the Time of any such Custody or Possession, shall be charged or become chargeable, or be in arrear or owing, from or by the Person or Persons carrying on such Trade or Business for or in respect of the same, or of any such or the like Goods and Com-

Collectors may issue Warrants to levy in *Scotland or Ireland* Duties in Danger of being lost.

All Goods liable to an Excise Duty, and the Materials, Vessels, &c. to be subject to Arrears of Duty, Penalties, &c.

modities respectively; and shall also be and remain subject and liable to all Penalties and Forfeitures which, during any such Custody or Possession, shall be incurred by the Person or Persons carrying on such Trade or Business, for any Offences by such Person or Persons committed against this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise; and all such Goods, Commodities, Materials, Preparation, Utensils, and Vessels shall be and remain subject and liable to all such Duties, Penalties, and Forfeitures, into whose Hands soever the same shall afterwards come, or by what Conveyance or Title soever the same shall be claimed; and it shall be lawful in all such Cases to levy thereupon such Duties, Penalties, and Forfeitures, and to use such Proceedings for the Recovery or Enforcement of such Duties, Penalties, and Forfeitures respectively, as may lawfully be done in Cases where the Debtors or Offenders are the true and lawful Owners of such Goods, Commodities, Materials, Preparations, Utensils, or Vessels.

Officers authorized to administer Oaths.

XXIX. And be it further enacted, That in all Cases where any Oath is or shall by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, be required and directed to be made or taken by any Person or Persons whomsoever, it shall be lawful for the Commissioners or Assistant Commissioners, or any Commissioner or Assistant Commissioner of Excise, or for the Commissioners of Appeal under this Act, or the Justices or any Justice of the Peace, or Officers or any Officer or other Persons or Person before whom such Oath is required to be made or taken, and they and he respectively are and is hereby authorized to administer and receive such Oath accordingly.

Quaker's Affirmation may be accepted in lieu of an Oath.

XXX. And be it further enacted, That in every Case in which an Oath is by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, required and directed to be made or taken, and in all Proceedings for any Misdemeanor, or for the Recovery of any Penalty incurred, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, if the Person required to make or take such Oath shall be and be known to be One of the People called *Quakers*, then and in every such Case the solemn Affirmation or Declaration of such Quaker shall be administered and received as aforesaid, in lieu of such Oath; any Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

Penalties on Perjury and Subornation of Perjury.

XXXI. And be it further enacted, That if any Person who shall make or take any such Oath or Affirmation or Declaration, shall wilfully and knowingly swear or affirm or declare falsely to any Matter or Thing therein, every such Person, being duly convicted thereof, shall incur and suffer the Pains and Penalties to which Persons are or shall be liable for wilful and corrupt Perjury; and if any Person shall corruptly procure or suborn any other Person to swear or affirm or declare falsely to any Matter or Thing in any such Oath or Affirmation or Declaration, every Person duly convicted of such procuring or suborning shall, for every such Offence, incur and suffer such Penalties, Forfeitures,
Pains,

Pains, and Disabilities respectively, as Persons are or shall be liable to on being convicted of Subornation of Perjury.

XXXII. And be it further enacted, That in case any Goods or Commodities for or in respect whereof any Duty of Excise is or shall be imposed, or any Materials, Utensils, or Vessels proper or intended to be made use of for or in the making of such Goods or Commodities, shall be removed, or shall be deposited or concealed in any Place, with any Intent to defraud His Majesty of such Duty, or any Part thereof, all such Goods and Commodities, and all such Materials, Utensils, and Vessels respectively, shall be forfeited; and in every such Case, and in every Case where any Goods or Commodities shall be forfeited under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, all and singular the Casks, Vessels, Cases, or other Packages whatsoever, containing or which shall have contained such Goods or Commodities respectively, and every Vessel, Boat, Cart, Carriage, or other Conveyance whatsoever, and all Horses or other Cattle, and all Things used in the Removal or for the Deposit or Concealment thereof respectively, shall be forfeited; and every Person who shall remove, deposit, or conceal, or be concerned in removing, depositing, or concealing, any Goods or Commodities for or in respect whereof any Duty of Excise is or shall be imposed, with Intent to defraud His Majesty of such Duty, or any Part thereof, shall forfeit and lose Treble the Value of all such Goods and Commodities, or the Sum of One hundred Pounds, at the Election of the Commissioners of Excise or Customs, or of the Commissioner or Commissioners and Assistant Commissioners of Excise or Customs in *Scotland and Ireland* respectively, or the Person who shall inform or sue for the same.

XXXIII. And be it further enacted, That when any Officer of Excise shall at any Time find in any private or unentered Place manufacturing, or in the Course of manufacturing, any Goods or Commodities for or in respect whereof any Duty of Excise is or shall be imposed, or any Materials or Preparations for manufacturing any such Goods or Commodities, and shall at the same Time discover in or about such private or unentered Place any Person knowingly aiding, assisting, or in anywise concerned in the manufacturing of such Goods or Commodities, every Person so discovered shall forfeit and lose the Sum of Thirty Pounds, over and above all other Penalties to which the Proprietor of the same, or the Person in whose Custody or Possession the same shall be found, or by whom the manufacturing of such Goods or Commodities may be carrying on, is or may be subject and liable; and it shall be lawful for any Officer of Excise, and all Persons acting in his Aid and Assistance, to arrest and detain every Person so discovered, and to convey him or her before One or more Justice or Justices of the Peace for the County, Shire, Division, City, Town, or Place wherein such Person shall be so discovered as aforesaid; and it shall be lawful to and for such Justice or Justices of the Peace, on Confession of the Party, or by Proof on the Oath of One or more credible Witness or Witnesses made of such Offence, to convict every such Person so discovered as aforesaid; and every Person so convicted shall, immediately on such Conviction, pay the said Sum of Thirty Pounds into the Hands of the

Goods fraudulently removed or deposited to evade the Duty shall be forfeited, as also the Packages or Conveyances used for containing or removing the same.

Penalty, Treble the Value, or 100*l*.

Persons found employed in unentered Excise Manufactories liable to Fine and Imprisonment.

Penalty 30*l*.

Officer who shall have conveyed such Offender before such Justice or Justices of the Peace, to be paid to the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland* respectively, or to such Person or Persons as they may respectively appoint, to be applied in such Manner as other Excise Penalties are by this Act directed to be applied; and on any such Offender refusing or neglecting to pay the said Sum of Thirty Pounds, the Justice or Justices so convicting as aforesaid shall and may by Warrant or Warrants under his or their Hand or Hands, commit the said Offender to the House of Correction or other Prison for the said County, Shire, Division, City, Town, or Place respectively, there to remain and be kept to hard Labour for the Space of Three Calendar Months, to be reckoned from the Day of such Conviction, and the Person so convicted and committed shall not, under any Pretence, or by reason of any Authority or Order other than as hereinafter mentioned, be discharged until he or she shall have paid the said Sum of Thirty Pounds, or until the Expiration of the said Three Months; and in case any Person so convicted shall be again discovered in or about any private or unentered Place or Places, manufacturing or in the Course of manufacturing any Goods or Commodities for or in respect whereof any Duty of Excise is or shall be imposed, or any Materials or Preparations for manufacturing such Goods or Commodities, or aiding or assisting or in anywise concerned in manufacturing such Goods or Commodities, such Person so again offending shall upon the like Conviction forfeit and pay for such further Offence the Sum of Sixty Pounds, and shall be committed to the House of Correction or other Prison in manner aforesaid, there to remain as aforesaid for and during the Term of Six Months, or until the said Sum of Sixty Pounds shall be paid: Provided always, that in any such Case of Imprisonment it shall be lawful for the Commissioners of Excise, or for the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, to order any Person so imprisoned to be discharged at any Time before the Term of his or her Imprisonment shall have expired.

Second Of-
fence, Penalty
60L

Upon an Of-
ficer making
Oath of Suspi-
cion, Two
Commission-
ers, or One
Justice, may
grant Warrant
to enter (if in
the Night, in
the Presence of
a Constable),
and seize for-
feited Goods
lodged or con-
cealed in any
Place.

XXXIV. And be it further enacted, That if any Officer of Excise shall have cause to suspect that any Goods or Commodities forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, are deposited or concealed in any Place, then and in every such Case, if such Place shall be within the Limits of the Chief Office of Excise in *London*, upon Oath being made by such Officer before the Commissioners of Excise, or any Two or more of them, or if such Commissioners shall not be publicly sitting for the Dispatch of Business, or such Place or Places shall be in any other Part of the United Kingdom out of the Limits of the said Chief Office, then upon such Oath being made before One or more Justice or Justices of the Peace for the County, Shire, Division, City, Town, or Place where such Officer shall suspect such Goods or Commodities to be deposited or concealed, setting forth the Ground of such Suspicion, it shall be lawful to and for the said Commissioners, or any Two or more of them, or the Justice or Justices of the Peace respectively (as the Case may be), before whom such Oath

Oath shall be made, if he or they shall judge it reasonable, by special Warrant or Warrants under his or their Hands respectively, to authorize and empower such Officer, by Day or by Night (but if between the Hours of Eleven of the Clock at Night and Five in the Morning, then in the Presence of a Constable or other lawful Officer of the Peace), to enter into every such Place where any such Goods or Commodities shall be suspected to be deposited or concealed, and to seize and carry away the same; and it shall be lawful for any Officer to whom any such Warrant shall be given or granted, and he is hereby authorized, in case of Resistance, to break open any Door, and to force and remove any other Impediment or Obstruction to such Entry, Search, or Seizure, and Removal as aforesaid.

XXXV. And be it further enacted, That all Justices of the Peace, Mayors, Bailiffs, Constables, and all His Majesty's Officers, Ministers, and Subjects, serving under His Majesty by Commission, Warrant, or otherwise, shall be aiding and assisting, and they are hereby respectively required to be aiding and assisting, to every Officer of Excise in the due Execution of any Act or Thing required and enjoined by this Act, or by any other Act or Acts of Parliament relating to the Revenue of Excise, to be done; and all such Persons who shall be so aiding and assisting unto any such Officer of Excise as aforesaid are and shall be defended and saved harmless by virtue of this Act; and if any such Person shall be sued or prosecuted for or on account of any Act, Matter, or Thing by such Person done in giving such Aid and Assistance, every such Person shall and may plead the General Issue, and give this Act and the special Matter in Evidence in Defence in such Behalf.

Justices, Constables, &c. required to assist Revenue Officers.

XXXVI. And be it further enacted, That if upon Notice given or Request made by any Officer of Excise, to any Constable, Headborough, or other ministerial Officer of the Peace, to go with him as such Officer of Excise, and to be present at the doing or performing of any Act or Thing at which the Presence of a Constable, Headborough, or Officer of the Peace is or shall be required by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, such Constable, Headborough, or Officer of the Peace shall not go with such Officer of Excise, or shall not be present at the doing or performing of any such Act or Thing, or shall refuse or neglect so to do, or to be present as aforesaid, every such Constable, Headborough, or Officer of the Peace so offending shall for every such Offence forfeit and lose the Sum of Twenty Pounds.

Constable or other Peace Officer, on Notice or Request, not going with the Officer of Excise when his Presence is required by Law, to forfeit 20l.

XXXVII. And be it further enacted, That it shall be lawful for every Constable, Headborough, or other ministerial Officer of the Peace, who shall have begun to assist any Officer or Officers of Excise in the Execution of his or their Duty in any Place where such Constable, Headborough, or ministerial Officer of the Peace shall have Jurisdiction by Law, and such Constable, Headborough, and ministerial Officer of the Peace is hereby respectively authorized and required to continue such his Assistance into and in any other Place, and shall be deemed a Constable, Headborough, or ministerial Officer of the Peace, and have Jurisdiction accordingly

Constables may continue Assistance into neighbouring Districts.

accordingly, in such last-mentioned Place, for the Purpose of continuing such Assistance.

Officers of Excise and Customs to have similar Powers of Seizure, &c. of Foreign Goods, or of British Spirits, forfeited under any Laws of Excise or Customs.

XXXVIII. And be it further enacted, That every Officer of the Customs shall have, use, and exercise all such and the like Powers and Authorities for the Arrest and Prosecution of any Person, or for the Search, Examination, Seizure, Detention, Removal, and Prosecution of any Vessel, Boat, Cart, Carriage, or other Conveyance, or any Horse or Cattle, or any foreign or imported Goods or Commodities whatsoever, or any *British* Spirits, forfeited under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, as are, shall be granted, or shall or may be used or exercised in that Behalf by any Officer of Excise; and that every Officer of Excise shall have, use, and exercise all such and the like Powers and Authorities for the Arrest and Prosecution of any Person, or for the Search, Examination, Seizure, Detention, Removal, and Prosecution of any Vessel, Boat, Cart, Carriage, or other Conveyance, or any Horse or Cattle, or any foreign or imported Goods or Commodities whatsoever, forfeited under any Act or Acts of Parliament relating to the Revenue of the Customs, as are or shall be granted or shall or may be used or exercised in that Behalf by any Officer of the Customs; any thing in this Act or in any other Act or Acts of Parliament to the contrary thereof notwithstanding.

Persons obstructing Officers, &c. in making Seizures, or rescuing the same, or destroying the Packages, to forfeit 200*l*.

XXXIX. And be it further enacted, That if any Person shall molest, obstruct, or hinder any Officer of Excise, or any Person employed in the Revenue of Excise, or acting in Aid and Assistance of such Officer or Person so employed as aforesaid, in the Search, Examination, Seizure, Detention, or Removal of any Goods or Commodities, or any Vessel, Boat, Cart, Carriage, or other Conveyance, or any Horse or Cattle, or any other Thing whatsoever forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenues of Excise or Customs, or in the due Execution of his Office or Duty respectively in that Behalf, or shall after any such Officer or Person so employed, or Person acting in such Aid and Assistance as aforesaid, shall have made any such Seizure as aforesaid, rescue or cause the same to be rescued, or shall attempt or endeavour so to do, or shall, whilst such Officer or Person so employed, or Person acting in such Aid and Assistance as aforesaid, is or are searching for, examining, detaining, seizing, or removing any such Goods or Commodities, Vessel, Boat, Cart, Carriage, or other Conveyance, or any such Horse, Cattle, or other Thing whatsoever as aforesaid, break or otherwise damage or destroy the same, or any of them, or any Part thereof, or any Cask, Vessel, Case, or other Package whatsoever, containing any such Goods or Commodities, every Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Officers, &c. violently resisted in making any Seizure, may oppose Force to Force; and

XL. And be it further enacted, That if any Person armed with any offensive Weapon whatsoever shall with Force or Violence assault or resist any Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid or Assistance of such Officer or Person so employed, who in the Execution of his Office or Duty shall search for, take, or seize, or

or shall endeavour or offer to search for, take, or seize any Goods or Commodities forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, or who shall search for, take, or seize, or shall endeavour or offer to search for, take, or seize any Vessel, Boat, Cart, Carriage, or other Conveyance, or any Horse, Cattle, or other Thing used in the Removal of any such Goods or Commodities, or who shall arrest or endeavour or offer to arrest any Person carrying, removing, or concealing the same, or employed or concerned therein, and liable to such Arrest, then and in every such Case it shall be lawful for every such Officer and Person so employed, and Person acting in such Aid and Assistance as aforesaid, who shall be so assaulted or resisted, to oppose Force to Force, and by the same Means and Methods by which he is so assaulted or resisted, or by any other Means or Methods, to oppose such Force and Violence, and to execute his Office or Duty; and if any Person so assaulting or resisting such Officer as aforesaid, or any Person so employed, or any Person acting in such Aid and Assistance as aforesaid, shall in so doing be wounded, maimed, or killed, and the said Officer or Person so employed, or Person acting in such Aid and Assistance as aforesaid, shall be sued or prosecuted for any such wounding, maiming, or killing, it shall be lawful for every such Officer or Person so employed, or Person acting in such Aid and Assistance, to plead the General Issue, and give this Act and the special Matter in Evidence in his Defence; and it shall be lawful for any Justice or Justices of the Peace, or other Magistrate or Magistrates before whom any such Officer or Person so employed, or Person acting in such Aid and Assistance as aforesaid, shall be brought, for or on account of any such wounding, maiming, or killing as aforesaid, and every such Justice of the Peace and Magistrate is hereby directed and required to admit to Bail every such Officer, and every Person so employed, and every Person acting in such Aid and Assistance as aforesaid; any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding.

XLI. And be it further enacted, That whenever any Person shall be charged with violently assaulting or resisting as aforesaid any Officer of Excise or Person so employed, or Person acting in such Aid and Assistance as aforesaid, in the due Execution of his Office or Duty, and such Charge shall, by Affidavit or by Certificate of an Indictment or Information being filed against such Person for any such Offence, be made to appear to any Judge of any of His Majesty's superior Courts of Record in which such Indictment or Information shall be found or filed, or into which the same shall have been removed, it shall be lawful for such Judge to issue his Warrant in Writing under his Hand and Seal, and thereby to cause any Person being a Defendant in such Indictment or Information to be apprehended and brought before him or some other Judge of such Court, or before some one of His Majesty's Justices of the Peace, in order that such Defendant may be bound to the King's Majesty, with Two sufficient Persons as Sureties, in such Sum (the same not being in any Case less than One hundred Pounds) as in the said Warrant shall be expressed, with Condition to appear in such Court at the Time mentioned

upon being prosecuted therefore, shall be admitted to Bail; and may plead the General Issue.

Persons against whom Indictments or Informations for Resistance shall have been found or filed, to give Security to answer it; or in Default may be committed.

mentioned in such Warrant, to answer His said Majesty in the said Court concerning any Articles on behalf of His Majesty to be there objected against him for any such Offence as aforesaid; and in case any such Defendant shall neglect or refuse to become bound as aforesaid, it shall be lawful for such Judge or Justice of the Peace respectively, and they are hereby respectively directed and required to commit such Defendant to the Common Gaol of the County, Shire, Division, City, Town, or Place where the Offence shall have been committed, or where such Defendant shall have been apprehended, until such Defendant shall become bound as aforesaid, or shall be discharged by Order of such Court in Term Time, or by One of the Judges of such Court in Vacation; and the Recognizance to be taken thereupon shall be returned and filed in such Court, and shall continue in force until such Defendant shall have been acquitted of such Offence, or in case of Conviction, shall have received Judgment for the same, unless sooner ordered by such Court to be discharged.

If an Offender be in Prison for want of Bail, a Copy of the Indictment or Information may be delivered to the Gaoler, with a Notice of Trial, and Proceedings had thereon.

† Sic.

XLII. And be it further enacted, That where any such Defendant is or shall be committed to and detained in Gaol for want of Bail, it shall be lawful for the Prosecutor of such Indictment or Information to cause a Copy thereof to be delivered to the Gaoler, Keeper, or Turnkey of the Gaol wherein such Defendant is or shall be so detained, with a Notice thereon indorsed, that unless such Defendant shall, within such Space of Time as shall be for that Purpose limited and fixed by the Court in which such Indictment or Information shall be found or filed, or into which the same shall have been removed, cause an Appearance and also a Plea or Demurrer to be entered in the said Court to such Indictment or Information, and † Appearance and the Plea of Not Guilty will be entered thereto in the Name of such Defendant; and the Prosecutor of such Indictment or Information shall also be at liberty to indorse on the Copy of such Indictment or Information so delivered a further Notice, that the Issue to be joined on such Indictment or Information will be tried in the next Term, or at the next Assizes, or at the next General Gaol Delivery or Court of Justiciary to be holden in or for the County, Shire, Division, City, Town, or Place in which the Offence shall be alleged to have been committed, or the Venue laid in such Indictment or Information; and in case any Defendant so committed or detained as aforesaid shall neglect to cause an Appearance and also a Plea or Demurrer to be entered in such Court to such Indictment or Information, within the Space of Time so to be limited and fixed by such Notice as aforesaid, then, upon an Affidavit being made and filed in such Court, of the Delivery of a Copy of such Indictment or Information, with such Notice as hereinbefore first mentioned indorsed thereon as aforesaid, to such Gaoler, Keeper, or Turnkey, as the Case may be (which Affidavit may be made before any Judge or Commissioner of the said Court authorized to take Affidavits in the said Court), it shall be lawful for the Prosecutor of such Indictment or Information to cause an Appearance and the Plea of Not Guilty to such Indictment or Information to be entered in the said Court for such Defendant, and such Proceedings shall be had thereupon as if the Defendant in such Indictment or Information had appeared and

and pleaded Not Guilty according to the usual Course of such Court; and if upon the Trial of such Indictment or Information the Defendant so committed and detained as aforesaid shall be acquitted of all the Offences therein charged upon such Defendant, it shall be lawful for the Judge before whom such Trial shall be had, although he may not be one of the Judges of the Court in which such Indictment or Information shall be found or filed, or into which the same shall have been removed, to order that such Defendant shall be forthwith discharged out of Custody as to such Commitment.

Defendant, if acquitted, to be discharged.

XLIII. And for the better and more impartial Trial of any Indictment or Information which shall be found, commenced, or prosecuted for any such violent Assault or Resistance as aforesaid, be it enacted, That every such Offence shall and may be enquired of, examined, tried, and determined in any County in *England*, if such Offence shall have been committed in *England* or in any of the Islands thereof, or in any County in *Scotland*, if the same shall have been committed in *Scotland* or in any of the Islands thereof, or in any County in *Ireland*, if the same shall have been committed in *Ireland* or in any of the Islands thereof, in such Manner and Form as if the same Offence had been committed in such County respectively; and that whenever any Person shall be convicted of any such violent Assault or Resistance as aforesaid, it shall be lawful for the Court before which any such Offender shall be convicted, or which by Law is authorized to pass Sentence upon any such Offender, to award and order (if such Court shall think fit) Sentence of Imprisonment, with hard Labour, for any Term not exceeding the Term of Three Years, either in addition to or in lieu of any other Punishment or Penalty which may by Law be inflicted or imposed upon any such Offender; and every such Offender shall thereupon suffer such Sentence in such Place, and for such Term as aforesaid, as such Court shall think fit to direct.

Indictments or Informations for assaulting Officers may be tried in any County, and Offenders convicted thereof sentenced to hard Labour.

XLIV. And be it further enacted, That the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, and every Collector, Receiver, and other Person throughout the United Kingdom, who shall be intrusted with the Collection, Receipt, Custody, or Management of any Part of the Revenue of Excise, shall keep and render such separate and distinct Accounts, and in such Manner and Form, as shall from time to time be directed by the Commissioners of Excise, of all and every Duty and Duties, Penalty and Penalties, Sum and Sums of Money collected, had, or received by him or them, or intrusted to his or their Care or Custody, and of all and every Balance and Balances of Money in his or their Hands, or under his or their Control and Management respectively; and if any Commissioner or Assistant Commissioner of Excise in *Scotland* or *Ireland*, or if any such Collector, Receiver, or other Person in any Part of the United Kingdom, shall neglect or omit to keep and render such Accounts as aforesaid, or shall knowingly render or furnish false Accounts of or relating to any Duty or Penalty, or Sum of Money collected, had, or received, or to be collected, had, or received by him or them, or intrusted to his or their Care or Custody, or of any Balance of Money in his or their

Commissioners in *Scotland* and *Ireland*, and Collectors or Receivers of Money, to keep distinct Accounts thereof.

Persons knowingly furnishing false Accounts to be punished by Fine and Imprisonment, and rendered incapable of holding Office.

their Hands, or under his or their Control and Management, every such Commissioner, Assistant Commissioner, Collector, Receiver, or other Person so offending, and being thereof duly convicted, shall be adjudged guilty of a Misdemeanor, and shall suffer the Punishment of Fine and Imprisonment, at the Discretion of the Court in which such Offender shall be prosecuted for such Offence, and shall by such Conviction be rendered for ever incapable of holding or enjoying any Office under the Crown.

Collectors to receive, pay, apply, and remit Duties, as ordered by Commission-ers.

XLV. And be it further enacted, That the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland* respectively, and every Collector, Receiver, or other Person throughout the United Kingdom, intrusted with the Collection, Receipt, Custody, or Management of any Part of the Revenue of Excise, shall from time to time collect, receive, apply, pay, transfer, and remit all and every Duty and Duties, Penalty and Penalties, Sum and Sums, and Balance and Balances of Money, which shall at any Time be intrusted to his or their Care or Custody, or come into his or their Hands, or be under his or their Control and Management respectively, in such Manner and Form, and at such Times as the Commissioners of Excise shall in that Behalf from time to time order and direct; and if any Commissioner or Assistant Commissioner of Excise in *Scotland* or *Ireland*, or if any such Collector, Receiver, or other Person in any Part of the United Kingdom, shall neglect or omit so to collect, receive, apply, pay, transfer, or remit as aforesaid, any such Duty or Penalty, or Sum or Balance of Money, or any Security for Money, in his or their Hands, or shall detain or misapply the same, every such Commissioner, Assistant Commissioner, Collector, Receiver, or other Person so offending, shall forfeit his Office or Employment, and shall be liable to pay, over and above the Penalty of any Bond which he may have entered into in respect of his Office or Employment, Treble the Amount of such Duty or Penalty, or Sum or Balance of Money, or Security for Money, neglected or omitted so to be collected, received, applied, paid, transferred, or remitted as aforesaid, or so detained or misapplied.

Commissioners to collect and keep Accounts of the Duties of Excise charged or received, and of Payments made, and render such Accounts to the Treasury when required.

XLVI. And be it further enacted, That the Commissioners of Excise shall and they are hereby required to collect and cause to be collected all and every the Duties and every Part of the Revenue of Excise, and to keep separate and distinct Accounts thereof respectively at the chief Office of Excise in *London*; and shall set forth in such Accounts the Amounts respectively charged, and collected and received, and remaining in arrear of each of such Duties, and other Parts respectively of the said Revenue, and of the several Payments made or allowed by such Commissioners for or in respect of such Duties and other Parts of the said Revenue respectively, and of the Expences respectively of the Collection or Management of the Revenue of Excise, and of all other Payments and Expences made or incurred on any other Account whatsoever; and the said Commissioners of Excise shall render and furnish such Accounts as aforesaid to the Lord High Treasurer or the Commissioners of the Treasury, when and so often and in such Manner and Form as the same shall be directed or

or required by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury.

XLVII. And be it further enacted, That the Commissioners of Excise shall daily pay or cause to be paid into the Hands of the Receiver General of Excise in *England*, or in such other Manner as the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury shall from time to time direct, order, or appoint, all Money, and shall indorse and deliver over or transfer to such Receiver General, or in such other Manner as aforesaid, all Bills of Exchange, Promissory Notes, Drafts, Checks, or Orders for the Payment of Money which shall from time to time be collected or received by, or paid or transmitted to such Commissioners, for or on Account of the Duties or Revenue of Excise (except only the necessary Charges paid of collecting, receiving, levying, managing, paying, and accounting for the same, and all other Payments legally made thereout); and if any Commissioner of Excise shall fraudulently or knowingly and wilfully detain or misapply any Money, Bill of Exchange, Promissory Note, Draft, Check, or Order for the Payment of Money as aforesaid, or any Part thereof, or any Security for Money, every such Commissioner so offending shall forfeit his Office, and shall be rendered incapable of serving His Majesty, His Heirs or Successors, in any Office or Place of Profit or Trust whatsoever, and shall also forfeit and lose Treble the Amount of every Sum of Money, Bill, Note, Draft, Check, or Order for the Payment of Money, or Security for Money, so detained or misapplied as aforesaid.

Commissioners to pay over the Revenue of Excise to the Receiver General.

XLVIII. Provided always, and it is hereby enacted, That nothing in this Act contained shall extend or be construed to extend to make void, alter, or prejudice any Disposition, Appropriation, Appointment, Matter, or Thing whatsoever, relative to the regular and usual Payment of any Pension or Annuity charged and made payable to any Person or Persons in pursuance of any Act or Acts of Parliament, or by virtue of any Grants or Letters Patent made or granted by any of His Majesty's Royal Predecessors, Kings or Queens of this Realm, but that the same Dispositions, Appropriations, and Appointments shall continue, be in force, and take effect in the Payment of all and every the Annuities and Pensions payable by the Commissioners or Receivers General of Excise in the same Manner, and at the same Time and Times that the said Annuities and Pensions have been usually paid before the Commencement of this Act.

Act not to affect Pensions payable by the Commissioners of Excise.

XLIX. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, from time to time, under his Hand and Seal, or under their Hands and Seals, to appoint a Comptroller and an Auditor for the United Kingdom on behalf of His Majesty, His Heirs and Successors, for the Purpose of comptrolling and auditing respectively all Accounts of and belonging to the Revenue of Excise, with such Salaries respectively, payable by the Commissioners of Excise out of the Revenue of Excise, as the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, may in that Behalf order and direct; and that such Comptroller and Auditor respectively shall in all respects be subject to such Rules, Orders, Regulations, and Directions as the Lord

Appointment of a Comptroller and an Auditor of Excise for the United Kingdom.

Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, shall from time to time make or prescribe, and transmit to the said Comptroller and Auditor respectively, for their Direction and Guidance in their respective Offices.

Monies, &c.
received by the
Receiver General
of Excise,
to be paid into
the Bank forth-
with, to the
Account of the
Receiver
General of
Excise.

L. And be it further enacted, That all Money, Bills, Notes, Drafts, Checks, or Orders for Payment of Money, received by or coming into the Hands of the Receiver General of Excise on account of the Revenue of Excise (except as is hereinafter excepted), shall be paid by him into the Hands of the Governor and Company of the Bank of *England*, that is to say, all Money, Notes, Drafts, Checks, and Orders, either on the same Day or on the Day next after the same shall have been received, and all Bills on the Day on which the same, having been first duly accepted, shall have been indorsed by the Commissioners of Excise, or any Two of them, for which Money, Bills, Notes, Drafts, Checks, and Orders, the Entry in the Book hereinafter mentioned shall be a sufficient Discharge; and all such Money, Bills, Notes, Drafts, Checks, and Orders, so to be paid to the Governor and Company of the Bank of *England*, shall be placed to an Account to be raised in the Books of the said Governor and Company, and to be intituled "The Account of the Public Monies of the Receiver General of Excise," inserting the Name of such Receiver General for the Time being.

What Sums
may be retained
by the Receiver
General in his
Hands, for the
Payment of
ordinary and
daily Demands.

LI. Provided always, and be it enacted, That it shall be lawful for such Receiver General to retain and keep in his own Hands at the Close of each Day, for the Payment of casual and ordinary and daily Demands, out of the Money so received by him as such Receiver General, any Sum not exceeding Thirty thousand Pounds, or such further Sum not exceeding Fifty thousand Pounds, over and above the said Thirty thousand Pounds, as shall be directed or authorized by the Commissioners of Excise to be retained by such Receiver General, or such further Sum of Money as shall or may from time to time, by a Permission in Writing under the Hand or Hands of the Lord High Treasurer, or of any Three or more of the Commissioners of the Treasury, be allowed to be retained by such Receiver General.

Bank Book to
be kept and
compared by
the Comptroller
of the Cash,
and any Default
stated to the
Commission-
ers.

LII. And be it further enacted, That the Governor and Company of the Bank of *England*, or some Person duly authorized on their Behalf, shall daily, upon receiving any Money, Bill, Note, Draft, Check, or Order from the Receiver General, make an Entry of the Money, and of every Bill, Note, Draft, Check, and Order so received, in a Book to be provided by the said Governor and Company, with the Approbation of the Lord High Treasurer or Commissioners of the Treasury, and sent for that Purpose by such Receiver General; and such Book shall be forthwith, after the making of such Entry, re-delivered to the Persons making such Payment, and shall be inspected daily after its Return by the Excise Comptroller of the Cash, or his Clerk (such Clerk being first duly authorized by such Comptroller, and for whose Conduct therein he shall be answerable), who shall compare the same with the Book kept by such Comptroller of the Cash, for the Purpose of seeing that the Receiver General constantly pays into the Bank all the Money, Bills, Notes, Drafts, Checks, and Orders which he is required to do under the Provisions of this Act; and
any

any Default which such Comptroller of the Cash or his Clerk (duly authorized as aforesaid) may discover in that Behalf shall, by such Comptroller of the Cash, be immediately reported to the Commissioners of Excise.

LIII. And be it further enacted, That the Receiver General of Excise shall pay, or cause to be paid, into the Receipt of the Exchequer at *Westminster*, all Money placed to the Account of the Receiver General as aforesaid in the Bank of *England*, on such Days in every Week respectively as the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury shall from time to time direct, order, or appoint, and in such Manner as hereinafter mentioned; that is to say, the said Receiver General or his Clerk (duly authorized by him for that Purpose, and for whose Conduct therein he shall be answerable) shall make an Order upon the Governor and Company of the Bank of *England*, which Order shall be countersigned by the Excise Comptroller of the Cash, to write off from his Account the Sum desired; and the said Governor and Company, or some Person duly authorized on their Behalf, shall thereupon write off such Sum, and deliver a Note, drawn (and which, for greater Security, shall be cancelled) in such Manner and Form as shall be approved of by the Lord High Treasurer or Commissioners of the Treasury, for the Amount, to the said Receiver General or his Clerk, who shall pay the same into the Exchequer; and the Bank Clerks attending there shall receive such Note as Cash to the Amount thereof; and it shall not be lawful for the Governor and Company of the Bank of *England* to pay or transfer from the Account of the Receiver General any Part of the Money so deposited and placed to such Account, otherwise than into the Exchequer in Manner aforesaid, or to deliver any Bill of Exchange, Promissory Note, Draft, Check, or Order for the Payment of Money, save and except to His Majesty's Solicitor of Excise in *England*, or his Clerk, upon his Application for the same, countersigned by the said Receiver General or his Clerk, and such Comptroller of the Cash or his Clerk, for the sole Purpose of prosecuting an Extent for the Recovery of the Money for which any such Bill of Exchange, Promissory Note, Draft, Check, or Order for the Payment of Money shall have been given; and in such Case the Commissioners of Excise shall be immediately acquainted therewith, if sitting, by such Solicitor, Receiver General, and Comptroller of the Cash, or if not sitting, then at the Time of their next assembling; and such Delivery shall be entered at the Bank in the Bank Book of the Receiver General, to be kept as is hereinbefore directed.

LIV. And be it further enacted, That upon the Death, Resignation, or Removal of every Receiver General of Excise, the Balance of Cash for which such Receiver General shall at that Time have Credit in his Account, as such Receiver General, with the Governor and Company of the Bank of *England*, shall immediately upon a Successor being appointed to the said Office of Receiver General vest in such Successor, in Trust for the Purposes aforesaid, and shall be forthwith transferred, carried over, and placed by the Governor and Company of the Bank of *England* to the Account of such Successor, to be applied in such Manner as aforesaid.

Mode in which Payments are to be made into the Exchequer.

No Bills, Notes, &c. to be re-delivered, except to Solicitor, for the Purpose of Prosecution, of which the Commissioners to be forthwith informed.

On the Death or Removal of Receiver General, the Balance to vest in and be transferred to the Account of his Successor.

Receiver General to keep Account, and (observing these Rules) not to be answerable for any Money actually received by the Bank.

Forging any Instrument to obtain Money from the Bank on account of the Receiver General, Felony without Benefit of Clergy.

Prosecutions in the superior Courts of Record to be within Three Years.

LV. And be it further enacted, That the Receiver General of Excise shall keep the Account with the Bank of all Money issued on his Account as aforesaid; and such Receiver General, observing the Rules and Regulations by this Act prescribed, shall not be answerable for any Money which he shall have so paid or caused to be paid into the Bank of *England*, but the Governor and Company of the Bank of *England* shall be answerable for all Money, Bills, Notes, Drafts, Checks, and Orders which shall be actually received by them from and on account of such Receiver General as aforesaid, except such as may have been delivered out for the Purpose of prosecuting an Extent as aforesaid, and may not have been returned into the Bank of *England*.

LVI. And be it further enacted, That if any Person shall forge or counterfeit, or shall cause or procure to be forged or counterfeited, or shall knowingly and wilfully aid or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of Excise, or of any Excise Comptroller of the Cash as aforesaid, or of any of the Persons duly authorized as aforesaid, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any of the Money, Bills, Notes, Drafts, Checks, or Orders for the Payment of Money, in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of such Receiver General as aforesaid; or if any Person shall forge or counterfeit, or shall cause or procure to be forged or counterfeited, or shall knowingly and wilfully aid or assist in the forging or counterfeiting, of any Draft, Instrument, or Writing, in the Form of a Draft, Instrument, or Writing made by any Receiver General of Excise, or by any Excise Comptroller of the Cash as aforesaid, or by any Person or Persons authorized as aforesaid, or shall utter or publish any Draft, Instrument, or Writing so forged or counterfeited, knowing the same to be forged or counterfeited, with an Intention to defraud His Majesty, or any Person whomsoever; every Person so offending, and being thereof lawfully convicted, shall be and is hereby declared and adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

LVII. And be it further enacted, That all Penalties imposed by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and incurred for or by reason of any Offence or Offences against this Act, or the said other Acts or any of them, may be sued for and recovered, and all Goods, Commodities, and Chattels seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, may be returned for Condemnation and condemned, in His Majesty's Courts of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively, as the Cause of such Prosecution may have arisen in *England*, *Scotland*, or *Ireland*: Provided always, that the Proceedings for the Recovery of any such Penalty or Penalties, or for the Condemnation of any such Goods, Commodities, or Chattels, shall be commenced respectively within Three Years next after the Commission of the Offence or Offences by which such Penalty or Penalties shall have been incurred, or after the Seizure of such Goods, Commodities, or Chattels shall have been made.

LVIII. And

LVIII. And be it further enacted, That His Majesty's Courts of Exchequer in *Scotland* and *Ireland* respectively, and the Barons and Judges of the said Courts respectively, shall and they are hereby respectively empowered, authorized, and required to exercise in *Scotland* and *Ireland* respectively the like Jurisdiction, and to make, issue, hold, and enforce the like Rules, Orders, Process, and Proceedings in and for the Condemnation of any Goods, Commodities, and Chattels forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and in and for the Recovery of any Debts, Duties, Penalties, and Forfeitures due to His Majesty, His Heirs or Successors, arising from or relating to the Revenue of Excise, or incurred under or by virtue of this Act, or the said other Acts or any of them, as are directed by this Act to be, or as at and immediately before the Commencement of this Act are, or as hereafter may be exercised, made, issued, held, or enforced for such Purposes respectively in or by His Majesty's Court of Exchequer in *England*, and the Barons and Judges thereof, and according to the Practice of such last-mentioned Court: Provided always, that nothing hereinbefore contained shall repeal or be deemed or construed to repeal a certain Act made in the Sixth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for settling and establishing a Court of Exchequer in the North Part of Great Britain called Scotland*; but that the said Act shall remain in full Force and Effect, except only so far as the same is hereinafter expressly repealed.

LIX. And for the Recovery of any Debt relating to the Revenue of Excise, which, by Record in any of His Majesty's Courts of Exchequer in *England*, *Scotland*, or *Ireland*, shall be due to His Majesty, His Heirs or Successors, in any Case where the Person or Persons of the Debtor or Debtors, or the Estate or Effects of such Debtor or Debtors, shall be within the Jurisdiction of either of such Courts, but such Debt shall not have originally accrued within the Jurisdiction thereof, be it enacted, That where, by or upon any Judgment, Decree, Inquisition, Specialty, Account, or other Matter recorded in any of His Majesty's Courts of Exchequer in *England*, *Scotland*, or *Ireland*, any Debt relating to the Revenue of Excise shall be due to His Majesty, His Heirs or Successors, a Copy of the Record of such Judgment, Decree, Inquisition, Specialty, Account, or other Matter, upon Application made on behalf of His Majesty, His Heirs or Successors, to such Court, shall be forthwith exemplified and transmitted, under the Seal of the said Court, to such other of His Majesty's said Courts of Exchequer as shall be named or specified in such Application; and such last-mentioned Court shall, upon Application made on behalf of His Majesty, His Heirs or Successors, cause such Copy so exemplified and transmitted to be forthwith enrolled in the Rolls of the said last-mentioned Court; and upon the same being so enrolled, the said last-mentioned Court shall cause Execution or other Process to issue for recovering and levying the said Debt so due, according to the Rules and Practice of such Court, in like Manner in all respects as if such Record had been originally entered or filed in the said last-mentioned Court, or the said Debt had originally accrued

Courts of Exchequer in *Scotland* and *Ireland* to exercise the like Jurisdiction, and employ the same Process for the Recovery of the Excise Revenue, as the Court of Exchequer in *England*.

Nothing herein to repeal 6 Ann. c. 26. except as hereinafter mentioned.

Exemplification of any Excise Debt of Record in any of the Courts of Exchequer in *England*, *Scotland*, or *Ireland*, may be transmitted to any other of such Courts, and enrolled, and the Debt recovered there.

within the Jurisdiction thereof; and the Proceeds of such Debt, when so recovered, shall be accounted for and paid over in the same Manner as if the same had been recovered within the Jurisdiction of the Court in which such Debt originally accrued.

‘LX. And Whereas it is fit to provide for the Appearance of every Person to any Writ or Process of Subpœna issued against such Person out of the Court of Exchequer in *England, Scotland, or Ireland*, whether to answer His Majesty in such Court concerning any Articles on behalf of His Majesty to be there objected against such Person, or to give Evidence upon the Trial of any Information or Issue depending in such Court, or upon any Inquisition to be taken upon any Commission or Writ of Extent issued out of such Court, in whatever Part of the United Kingdom the Person against or to whom such Subpœna respectively may be issued shall be or reside;’ Be it therefore enacted, That the Service of any Writ of Subpœna or other Process issued out of any of His Majesty’s Courts of Exchequer in *England, Scotland, or Ireland*, upon any Person who shall reside or be in any Part of the United Kingdom out of the Jurisdiction of such Court, requiring the Appearance of such Person to answer His Majesty in the said Court concerning any Articles to be there on His Majesty’s Behalf objected, or to give Evidence upon the Trial of any Information or Issue depending in such Court, or upon any Inquisition to be taken upon any Commission or Writ of Extent issued out of such Court, shall be as good and effectual in Law as if such Writ or Process had been served in that Part of the United Kingdom within the Jurisdiction of the Court where the Person so served shall be required to appear; and in case any Person so served shall not appear according to the Exigence of such Writ or Process, it shall be lawful for the Court out of which the same shall have been issued, upon Proof being made of the Service thereof to the Satisfaction of such Court, to transmit a Certificate of such Default, under the Seal of such Court, to the Court of Exchequer in that Part of the United Kingdom in which such Writ or Process shall have been served; and it shall thereupon be lawful for such last-mentioned Court in all such Cases, and such last-mentioned Court is hereby authorized and required to proceed against and punish the Person so having made Default, in like Manner as such last-mentioned Court might lawfully have done if such Person had neglected or refused to appear in obedience to a like Writ of Subpœna or other Process issued out of such last-mentioned Court: Provided always, that in Cases where the Subpœna or other Process served shall be to give Evidence, no Person so having made Default as aforesaid shall be proceeded against or punished by reason or on account thereof, unless it shall be made to appear to the Satisfaction of such last-mentioned Court, that a reasonable and sufficient Sum of Money to defray the Expences of so attending to give Evidence, and of returning from giving such Evidence, had been tendered to such Person previous to such Default.

LXI. And be it further enacted, That it shall not be lawful to commence, prosecute, enter, file, or exhibit any Action, Bill, Complaint, or Information, or other legal Proceeding, against any Person or Persons, for the Recovery of any Penalty or Forfeiture incurred

Service of Subpœna in any one Part of the United Kingdom valid as to Appearance in any other Part.

No Action to be commenced, or Writ of Appraisement issued, unless

incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, or to issue or cause to be issued any Writ of Appraisement for the Condemnation of any Goods, Commodities, or Chattels whatsoever, seized as forfeited under or by virtue of this Act, or the said other Acts or any of them, except by Order of the Commissioners of Excise or Customs, or by Order of the Commissioner or Commissioners and Assistant Commissioner of Excise or Customs in *Ireland*, and in the Name and at the Suit of an Officer of Excise or Customs, or by and in the Name and at the Suit of His Majesty's Attorney or Solicitor General for *England* or *Ireland* respectively, in *England* or *Ireland* respectively, or by Order of the Commissioner or Commissioners and Assistant Commissioners of Excise or Customs in *Scotland*, and in the Name and at the Suit of such Officer, or by and in the Name and at the Suit of the Lord Advocate or His Majesty's Solicitor General for *Scotland* in *Scotland*; and if any such Action, Bill, Complaint, or Information, or other legal Proceeding, or Writ of Appraisement, shall be commenced, prosecuted, entered, filed, exhibited, or issued in any other Manner than as aforesaid, such Action, Bill, Complaint, Information, or other legal Proceeding, or Writ of Appraisement, and all Proceedings thereupon respectively had, shall be and are hereby declared to be null and void; any Law, Custom, or Usage to the contrary thereof notwithstanding: Provided always, that nothing herein contained shall be deemed or construed to extend to any Summary Proceeding by or at the Instance of any Officer of Excise or Customs, for the Conviction upon immediate Arrest of any Person or Persons under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs.

by Order of the Commissioners, or in the Name of the Attorney General.

Not to extend to summary Proceedings on Arrests.

LXII. And be it further enacted, That no Claim shall be entered in any of His Majesty's Courts of Exchequer in *England*, *Scotland*, or *Ireland*, to any Goods, Commodities, or Chattels whatsoever, seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, which are returned into such Court, unless such Claim shall be, within the Time limited by the Practice of the said Court, entered in the real Name or Names of the Proprietor or Proprietors of the same, describing the Place of Residence and the Business or Profession of such Person or Persons; and if such Person or Persons shall reside in *London*, *Edinburgh*, or *Dublin*, or within Ten Miles thereof respectively, Oath shall be made by every such Person before One of the Barons of the said Courts of Exchequer respectively, that the Goods, Commodities, or Chattels respectively so claimed was or were really and truly the *bonâ fide* Property of such Person or Persons at the Time of such Seizure; but if any such Person shall not reside in *London*, *Edinburgh*, *Dublin*, or within Ten Miles thereof respectively, then and in such Case Oath shall be made in like Manner by such Person, or by the Agent or Attorney or Solicitor by whom such Claim shall be entered, that he has full and legal Authority and Directions from such Proprietor to enter such Claim, and that to the best of his Knowledge and Belief such Goods, Commodities, or Chattels respectively were at the Time

No Claim to be entered in the Courts of Exchequer as to any Goods seized, unless in the real Names of the Proprietors thereof.

of the Seizure thereof really and truly the *bona fide* Property of the Person or Persons in whose Name or Names such Claim is so entered, which Oath shall be indorsed and certified on the Back of the Indenture of Appraisement upon which such Claim shall be entered; and on Failure thereof, the Goods, Commodities, or Chattels respectively shall be condemned, and Judgment shall be entered thereon by Default, in the same Manner as if no Claim had been entered thereto; and every Person who shall be convicted of making or taking a false Oath to any of the Facts hereinbefore directed or required to be sworn, shall be deemed guilty of Perjury, and shall be liable to all the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

Claimants shall be bound with Two Sureties in a Penalty of 100*l.* to pay Costs of Claim, and in default thereof the Goods, &c. shall be condemned.

LXIII. And be it further enacted, That upon the Entry of any such Claim to any Goods, Commodities, or Chattels whatsoever, seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, which are returned for Condemnation as aforesaid, the Person or Persons who shall enter any Claim as Proprietor or Proprietors thereof respectively, and who shall reside within the Jurisdiction of the Court in which such Claim shall be entered, shall be bound, with Two other sufficient Persons as Sureties, in the Penalty of One hundred Pounds, to answer and pay the Costs occasioned by such Claim; and where any such Proprietor or Proprietors shall not reside within such Jurisdiction, the Agent, Attorney, or Solicitor by whose Directions such Claim shall be entered shall in like Manner be bound, with Two other sufficient Persons as Sureties, in the like Penalty, to answer and pay the Costs occasioned by such Claim; and in default of giving such Security within the Time limited by the Practice of the Court in which such Claim shall be entered, all such Goods, Commodities, or Chattels respectively shall be adjudged to be forfeited, and shall be condemned as unclaimed; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Goods forfeited under Excise Laws may be seized by any Officer of Excise, or his Assistant.

LXIV. And be it further enacted, That all Goods, Commodities, and Chattels whatsoever forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall and may be seized by any Officer or Officers of Excise, or Person or Persons employed in the Revenue of Excise, or Person or Persons acting in the Aid and Assistance of any such Officer or Person so employed as aforesaid; and that on all Trials of Seizures whatsoever, in any of the Courts of Exchequer or elsewhere, the Seizure, together with the Form and Manner of making the same, shall be taken to have been as set forth in the Information, without any Evidence thereof; and it shall be lawful for all Judges and other judicial Persons before whom any such Seizure shall be brought to Trial or Hearing, and having respectively Jurisdiction in that Behalf, and they are hereby respectively authorized and required to proceed to Trial on the Merits of the Cause, without enquiring into the Fact, Form, or Manner of making the Seizure.

On Trials of Seizures, Merits to be proceeded on without enquiring into Fact or Form of Seizure.

Prosecutions before Commissioners of Excise or Justices of the Peace.

LXV. And be it further enacted, That for the Recovery of any Penalty imposed by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and incurred for or by reason of any Offence committed against this Act, or the said other

other Acts or any of them, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of this Act, or the said other Acts or any of them, where the Offence shall have been committed, or the Person or Persons committing the same shall be found, or where the Goods, Commodities, or Chattels shall have been seized as aforesaid, within the Limits of the Chief Office of Excise in *London*, an Information thereupon may be exhibited before, and be heard, adjudged, and determined by any Three or more of the Commissioners of Excise; and where the Offence shall have been committed, or the Person or Persons committing the same shall be found, or where the Goods, Commodities, or Chattels shall have been seized as aforesaid, in any Part of the United Kingdom out of the Limits of the said Chief Office, the Information thereupon may be exhibited before any One or more of His Majesty's Justices of the Peace for the County, Shire, Division, City, Town, or Place wherein the Offence shall have been committed, or the Person or Persons committing the same shall be found, or where the Goods, Commodities, or Chattels shall have been seized as aforesaid; and such Information shall and may be heard, adjudged, and determined by any Two or more of His Majesty's Justices of the Peace for the said County, Shire, Division, City, Town, or Place; and such Commissioners of Excise, and any Two or more of such Justices of the Peace respectively, shall and they are hereby respectively authorized and required, upon any such Information having been so exhibited as aforesaid, and upon the Appearance and Pleading of the Person or Persons against whom such Information shall have been exhibited, or who shall claim any Goods, Commodities, or Chattels in such Information alleged to have been forfeited, or in default of such Appearance and Pleading, upon Proof of the Service of such Summons of such Person or Persons as hereinafter mentioned, to proceed to the Examination of the Fact or Facts in such Information alleged, and to give Judgment, as well for any such Penalty or Penalties which upon the due Examination of One or more credible Witness or Witnesses upon Oath, or upon the voluntary Confession of the Party accused, shall be found to have been incurred, as for the Condemnation of any Goods, Commodities, or Chattels seized as aforesaid, which upon such Examination or Confession shall be found to be forfeited, or respectively as the Case may require; and such Commissioners and Justices respectively shall and they are hereby authorized and required thereupon to award and grant a Warrant or Warrants under their Hands for the due Execution of and carrying into Effect, as hereinafter mentioned, such Judgment: Provided always, that where any such Information as aforesaid shall be exhibited before any Justice or Justices of any County or Shire in *England, Scotland, or Ireland* respectively, in which there are several and distinct Commissions of the Peace, no Information thereupon exhibited before any such Justice or Justices, nor any Judgment thereupon given by such Justices, nor any Warrant or Warrants thereupon granted for the due Execution thereof, shall be subject or liable to any Objection whatsoever by reason of any Offence alleged in such Information having been committed, or the Person or Persons committing the same having been found,

No Information exhibited before Justices of the County shall be objectionable because there are distinct Commissions of the Peace within whose Jurisdiction the Offence was committed.

or the Goods, Commodities, or Chattels having been seized as aforesaid, in any Division, City, Town, or Place of such County or Shire having local Jurisdiction, whether such City, Town, or Place be or be not a County in or of itself; any thing in this Act, or any other Act or Acts of Parliament, to the contrary thereof in anywise notwithstanding.

Information to be laid within Four Months after Offence committed; and Notice of Information to be given within a Week after.

Summons to Parties to appear and plead to the Information.

LXVI. And be it further enacted, That every such Information as aforesaid shall be exhibited before the Commissioners of Excise, or Justice or Justices of the Peace respectively, within Four Calendar Months next after the Offence or Offences alleged in such Information shall have been committed, or the Goods, Commodities, or Chattels therein alleged to have been forfeited shall have been seized; and a Notice in Writing of such Information having been so exhibited shall be given to the Person or Persons against whom the same shall have been exhibited, for the Penalty or Penalties incurred for such Offence or Offences, or to the Person or Persons who shall claim the Goods, Commodities, or Chattels in such Information alleged to have been forfeited, within One Week next after such Information shall have been exhibited; and the Commissioners of Excise, or Justice or Justices of the Peace, before whom any such Information shall have been exhibited as aforesaid, are hereby respectively authorized and required to summon every Person against whom any such Information shall have been exhibited, or who shall claim any Goods, Commodities, or Chattels as aforesaid, to appear and plead to and to attend the hearing of such Information, at a Time and Place to be stated in such Summons, which Summons shall be served upon every such Person or Persons Fourteen Days at the least before the Time appointed in such Summons: Provided always, that where such Information shall be exhibited as aforesaid for the Recovery of Double the Value of any Duty or Duties neglected to be paid or cleared off, as by this Act before directed, it shall be sufficient if such Summons as aforesaid be served within Twenty four Hours at the least before the Time appointed in such Summons: And provided also, that in all such Cases it shall be deemed and taken to be sufficient Service of any such Notice or Summons as aforesaid, if the same be left at or upon the Place used or occupied by any such Person or Persons respectively for carrying on Trade or Business, or at the Building or Place where any such Offence shall have been committed, or such Seizure made, or at the Place of Residence, or with the Wife or Child or menial Servant of any such Person or Persons, the same being directed to such Person or Persons by the right or assumed Name or Names of such Person or Persons.

Two or more Justices to meet every Three Calendar Months or oftener, to adjudge Excise Cases.

LXVII. And be it further enacted, That the Justices of the Peace, or any Two or more of them, in the several Counties, Shires, Divisions, Cities, Towns, and Places throughout the United Kingdom, shall meet Once in every Three Calendar Months in their respective Jurisdictions, or oftener if there shall be Need or Occasion so to do, to receive, hear, adjudge, and determine all Matters and Things brought before them relating to the Revenue of Excise, and all Informations exhibited or to be exhibited within such Jurisdiction, for or in respect of any Penalty incurred, or for the Condemnation of any Goods, Commodities, or Chattels seized

seized as forfeited, under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise: Provided always, that if it shall happen that any Justice or Justices of the Peace before whom any such Information shall have been exhibited as aforesaid, or before whom any Proceedings shall have been had upon any such Information, shall die or be absent at any Time after such Information shall have been so exhibited, and before the Person or Persons against whom such Information shall have been exhibited shall appear or plead to such Information, or before any Judgment shall be thereupon given, or before any Judgment thereupon given shall be duly executed, so that the further Attendance of any such Justice or Justices thereupon cannot be procured, it shall be lawful for any other Justice or Justices of the Peace within the same Jurisdiction to act therein for and in lieu of the Justice or Justices of the Peace so dying or absent, in all respects relating to such Information, and the due Completion of the Proceedings thereupon, in the same Manner as if such Information had been at first exhibited before such other Justice or Justices respectively; and that all Powers and Authorities, Rules and Regulations, given and granted by any Act or Acts of Parliament relating to Justices of the Peace, or to Constables or other Officers acting under their Authority, respecting summary Proceedings, shall be enforced, and shall be applied to and executed (excepting wherein altered or otherwise specially provided for by, or which shall be repugnant to or inconsistent with this Act) for the Conviction of any Person or Persons prosecuted by Order of the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, for any Penalty incurred by such Person or Persons under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and for the Levy of any such Penalty, or for the Imprisonment of any such Offender or Offenders, in the same Manner as if such Powers and Authorities, Rules and Regulations, had been and were repeated and contained in the Body of this Act.

LXVIII. And be it further enacted, That it shall not be lawful for any Assistant Commissioner of Excise, or for any Officer of Excise or Person employed in the Collection or Management of the Revenue of Excise, to act as a Justice of the Peace in any Part of the United Kingdom, in the Execution of any of the Powers, Authorities, Clauses, Matters, or Things contained in this Act, or in any other Act or Acts of Parliament relating to the Revenue of Excise; and that it shall not be lawful for any Trader subject to the Excise Laws to act as a Justice of the Peace as aforesaid in any Case which relates to the particular Trade or Business of such Trader, or in any Case in which he shall be in anywise, as such Trader, concerned or interested; and if any such Assistant Commissioner, or any such Officer or Person employed as aforesaid, or any such Trader as aforesaid, shall presume to act as a Justice of the Peace, contrary to the true Intent and Meaning of this Act, all Proceedings in that Behalf shall be and the same are hereby declared to be utterly null and void to all Intents and Purposes.

Regulations in case of the Death or Absence of any Justice during Proceedings.

Reference to former general Powers of Justices.

No Officer of Excise to act as a Justice in Excise Cases, nor any Excise Trader in any Case relating to his Trade.

LXIX. And

Penalties of Treble Value to be either Treble the Value of the best Goods of the like Kind, or 100*l.*, at the Election of the Commissioners of Excise or Prosecutor.

† *Sic.*

Persons incurring Excise Penalties may be prosecuted jointly or severally.

Averment in Information that the Commissioners had ordered Prosecution, &c. shall be deemed sufficient Proof of such Order, &c.

What shall be sufficient Proof, on Trial, of any Order of the Treasury or Commissioners of Excise.

LXIX. And be it further enacted, That where † any Act or Acts of Parliament relating to the Revenue of Excise or Customs, a Penalty of Treble the Value of Goods or Commodities is imposed for or in respect of any Offence committed by any Person or Persons against such Acts, or any of them, every Person so offending shall thereupon severally forfeit and lose for every such Offence, either Treble the Value of the Goods or Commodities, to be estimated and taken according to and at the Rate and Price for which the best Goods or Commodities of the like Sort or Kind and Denomination for which the Duty or Duties thereon have been paid were sold for in *London, Edinburgh, or Dublin* respectively (as the Penalty may have been incurred in *England, Scotland, or Ireland* respectively), at the Time of the Commission of such Offence, or the Sum of One hundred Pounds in lieu and instead of such Treble Value, at the Election of the Commissioners of Excise or Customs, or the Commissioner or Commissioners and Assistant Commissioners of Excise or Customs in *Scotland and Ireland* respectively, or the Person who shall inform or sue for the same.

LXX. And be it further enacted, That where by this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, a Penalty is imposed upon every Person committing the Offence by which such Penalty is incurred, and such Offence shall have been or shall be committed by several Persons jointly, such several Persons shall jointly and severally incur every such Penalty, and it shall be lawful to proceed against such Persons jointly or severally for the Recovery thereof, as the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland and Ireland* respectively may deem expedient; any thing in this Act, or in any other Act or Acts of Parliament, to the contrary thereof notwithstanding.

LXXI. And be it further enacted, That where, in any Information for the Recovery of any Penalty, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, any Allegation or Averment shall be made that such Information was exhibited, or that the Commissioners of Excise or Customs, or the Commissioner or Commissioners and Assistant Commissioners of Excise or Customs in *Scotland and Ireland* respectively, had ordered such Information to be exhibited, or that the Commissioners of Excise or Customs, or the Commissioner or Commissioners and Assistant Commissioners of Excise or Customs in *Scotland and Ireland* respectively, or the Informant or Person suing by such Information, had made their or his Election, as in such Information shall be alleged or averred, such Allegation and Averment shall be, and the same respectively shall be deemed and taken to be sufficient Proof of such Facts so alleged or averred respectively, without any other or further Evidence thereof.

LXXII. And be it further enacted, That upon the Trial of any Indictment, Information, Action, Suit, or Prosecution whatsoever, or in any other legal or judicial Proceeding, where it may be necessary to give Proof of any Order issued by the Lord High Treasurer or Commissioners of the Treasury, or by the Commissioners of Excise respectively, the Letter or Instructions which shall

shall have been officially received by the Collector, Supervisor, Surveyor, or Officer of Excise of the Collection, District, or Place in which the Subject Matter of any such Indictment, Information, Action, Suit, or Prosecution, or other legal or judicial Proceeding, may have arisen, for the Direction and Government of such Collector, Supervisor, Surveyor, or Officer, and in which such Order is mentioned or referred to, and under which said Letter or Instructions such Collector, Supervisor, Surveyor, or Officer shall have acted, shall be admitted and taken to be sufficient Evidence and Proof of such Order, to all Intents and Purposes whatsoever.

LXXIII. And be it further enacted, That it shall be lawful for the Commissioners of Excise and the Justices of the Peace respectively, and they are hereby respectively authorized and required, upon the Appearance of any Person or Persons summoned upon any Information, or in default of the Appearance of such Person or Persons, and upon Proof of the Service as before mentioned of such Summons as aforesaid, to proceed to the Examination of the Fact or Facts alleged in such Information, and of the Witness or Witnesses on either Side, upon Oath, touching the Penalty or Penalties alleged in such Information to have been incurred, or the Forfeiture of any Goods, Commodities, or Chattels therein alleged to have been seized as forfeited, and thereupon to give Judgment accordingly, notwithstanding any Defect or Defects of Form which may appear in such Information, or in any Proceedings thereupon or relating thereto.

Commissioners and Justices to proceed to Hearing and Judgment on the Merits, without regard to Defects in Form.

LXXIV. And be it further enacted, That it shall be lawful for the Commissioners of Excise and Justice or Justices of the Peace, and Commissioners of Appeal under this Act respectively, before whom any such Information as aforesaid, or any Matter or Thing under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall be judicially brought, and they are hereby respectively authorized and required to summon any and every Person (other than the Person or Persons against whom such Information is exhibited), in whatever Part of the United Kingdom any such Person so summoned shall then reside or be, to appear before the said Commissioners or the Justices, or the said Commissioners of Appeal, who are to hear, adjudge, and determine such Information, Matter, or Thing, at a certain Time and Place to be specified and set forth in such Summons, to give Evidence upon Oath of the Truth of any Facts alleged in such Information, or touching or relating thereto, or to such Matter or Thing as aforesaid; and every Person, other than as aforesaid, being so summoned, and having the reasonable Expences for such Attendance tendered, who shall neglect or refuse to appear according to the Exigency of such Summons, or who, having so appeared, shall refuse to take Oath, or, if a Quaker, to affirm, or shall refuse to give Evidence, or to answer, according to the best of his or her Knowledge and Belief, any legal Question, when thereunto required, shall for every such Default or Offence forfeit and lose the Sum of Fifty Pounds.

Witnesses summoned and not appearing, or refusing to give Evidence, to forfeit 50*l*.

LXXV. And Whereas, for better securing His Majesty's Revenue of Excise, and the Encouragement of the Officers and others who shall detect or give Information of any Offence committed against the several Acts of Parliament relating thereto, the

Officers of Excise and Informers to be deemed competent Witnesses, notwithstanding any Interest in the Penalty or Forfeiture under Prosecution.

Proof of Payment of Duties, or that Goods seized are not of the Sort or Kind alleged, shall lie upon the Proprietor or Person claiming.

Judgment to be entered by Default against a Prisoner who shall not appear and plead.

' the Penalties and Forfeitures by such Acts imposed are directed, where such Penalties are recovered, or the Goods, Commodities, or Chattels seized as forfeited are condemned, to be divided between His Majesty and the Person or Persons who shall have detected or given Information of the Offences: And Whereas, from the secret Manner in which such Offences are committed, it frequently happens that the Officer of Excise, or other Person detecting or informing of the Offence, is the only or a principal Witness to prove the same, but the Offenders escape Conviction by reason of Objection being made and allowed to the Competency of such Witness on the Trial or Hearing for the Recovery of such Penalty, or the Condemnation of such Goods, Commodities, or Chattels, on account of his Interest as a Person entitled to a Share of such Penalty or Seizure; and it is therefore expedient to remove all such Objections; Be it therefore enacted, That upon the Trial or Hearing of any Information or other legal Proceeding for the Recovery of any Penalty incurred, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, any Officer of Excise, or any other Person who shall or may be entitled to the whole or any Share of such Penalty or of such Seizure, shall be admitted by the Court in which, or the Commissioners or the Justices before whom such Information shall be tried or heard, to give Evidence upon such Information, and shall be deemed and taken to be a competent Witness upon such Trial or Hearing, notwithstanding any such Interest as aforesaid.

LXXVI. And be it further enacted, That if upon any Information, for the Recovery of any Penalty or Penalties incurred, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, or in any Action brought by the Proprietor or Claimer of such Goods, Commodities, or Chattels, against any Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid and Assistance of any such Officer or Person so employed as aforesaid, for any Act, Matter, or Thing done in pursuance of any such Act or Acts of Parliament, any Question shall be made or shall arise whether any Duty of Excise or Customs has been paid upon or in respect of the Goods or Commodities in such Information mentioned, or whether such Goods, Commodities, or Chattels are respectively of such Sort or Kind as in such Information is in that Behalf alleged, the Proof of the Payment of such Duty, or that the said Goods, Commodities, and Chattels respectively are not of such a Sort or Kind as aforesaid, shall lie upon the Proprietor or Claimer thereof.

LXXVII. And be it further enacted, That where any Person or Persons shall be in Prison on any Account whatsoever, and any Information shall be exhibited before the Commissioners of Excise, or any Justice or Justices of the Peace, against such Person or Persons, for the Recovery of any Penalty or Penalties incurred by such Person or Persons, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited, under or by virtue of this Act, or any other Act or Acts of Parliament relating

relating to the Revenue of Excise, claimed by such Person or Persons, and such Person or Persons, on a Copy of such Information being delivered to the Gaoler, Keeper, or Turnkey of the Prison wherein such Person or Persons shall be confined or imprisoned, with a Summons to appear and plead to and to attend the Hearing of such Information, at a Time and Place in such Summons mentioned, shall not appear and plead in Person, or by some Person duly authorized in that Behalf, to such Information, at the Time and Place so mentioned, such Proceedings shall be thereupon respectively had as are hereinbefore provided and directed in Cases of Default of Appearance to any such Information; any Law, Custom, or Usage to the contrary thereof notwithstanding.

LXXVIII. And be it further enacted, That it shall be lawful for the Commissioners of Excise and Justices of the Peace respectively, when they shall see cause, except in Cases where there is or shall be any Provision that no Mitigation shall be made by the Justices of the Peace, and they are hereby respectively authorized and empowered to mitigate any Penalty incurred for any Offence committed against this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, for which any Information shall have been exhibited before such Commissioners or Justice or Justices respectively, as they the said Commissioners and Justices respectively in their Discretion shall think fit, so as such Mitigation shall not reduce such Penalty to less than One Fourth Part thereof; and that every such Mitigation, and Payment thereupon accordingly made, shall be a sufficient Discharge of every such Penalty to the Person or Persons convicted of such Offence: Provided always, that it shall be lawful for the Commissioners of Excise, and the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, when they shall see cause, and they are hereby authorized and empowered to further mitigate or entirely remit any such Penalty; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

LXXIX. And be it further enacted, That no Writ of Certiorari or other Writ or Process shall be issued at the Suit of any Defendant, out of any of His Majesty's Courts of Record in *England*, *Scotland*, or *Ireland*, nor shall any Bill of Suspension, Advocation, or Reduction be passed, nor shall any Letter or Letters of Suspension, Advocation, or Reduction, or any other Proceeding, be issued out of the Court of Session or Court of Justiciary in *Scotland*, to supersede, sist, stay, remove, or in anywise affect any Information or judicial Proceeding before the Commissioners of Excise or Commissioners of Appeal in this Act after mentioned, or before any Justice or Justices of the Peace in the United Kingdom, in pursuance of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, or any Judgment thereupon; and that every such Information shall be tried and determined, and every such judicial Proceeding shall be had and completed, and every such Judgment executed; any such Writ of Certiorari or other Writ or Process, or Bill or Letter or Letters of Suspension, Advocation, or Reduction, or other Proceeding notwithstanding: Provided always, that nothing herein contained shall extend

Power of Commissioners and Justices of the Peace to mitigate Penalty to One Fourth Part thereof.

Commissioners may further mitigate or entirely remit Penalty.

No Certiorari at the Suit of a Defendant to supersede or affect any Proceedings by Commissioners of Excise or Justices of the Peace.

Proviso as to Certiorari at

the Suit of the Crown out of the Exchequer.

In Proceedings before Commissioners of Excise it shall be sufficient to mention that the Information was exhibited before the Commissioners of Excise, without specifying their Names; and any Three Commissioners of Excise may sign Warrants.

Appointment of Commissioners of Appeal.

Appeal from the Judgment of the Commissioners of Excise to Commissioners of Appeal.

extend, or be deemed or construed to extend, to any Writ of Certiorari sued or issued in such Cases in behalf of His Majesty, out of His Majesty's Courts of Exchequer in *England, Scotland, or Ireland* respectively.

LXXX. And be it further enacted, That it shall be sufficient, in the Record or written Account of any Proceedings before the Commissioners of Excise, to state that the Information was exhibited to and before the Commissioners of Excise, without stating their Names; and that every Adjudication and Determination upon any such Information, by any Three or more of such Commissioners, shall and the same is hereby declared to be good and valid in Law, and may be executed and put in force by virtue of a Warrant or Warrants under the Hands of any Three Commissioners of Excise, whether the Commissioners setting their Hands to such Warrant or Warrants shall or shall not happen to be the particular Commissioners by whom such Adjudication or Determination was made, or whether such Three Commissioners so setting their Hands to such Warrant or Warrants were Commissioners at the particular Time or Times when such Adjudication or Determination as aforesaid was made; provided that the Persons so setting their Hands to such Warrant or Warrants shall at the Time and Times of such their setting their Hands thereto actually be such Commissioners; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

LXXXI. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, from time to time, under his Hand and Seal, or under their Hands and Seals, to appoint such and so many Persons to be Commissioners of Appeal in *England* as he or they shall deem advisable, for and on behalf of His Majesty, His Heirs and Successors, for the Purpose of hearing Appeals, as hereinafter mentioned, from any Judgment given by the Commissioners of Excise upon any Information exhibited before them, with such Salaries respectively, payable to such Commissioners of Appeal out of the Revenue of Excise, as the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, may in that Behalf order and direct; and any Three or more of such Persons so appointed shall constitute a Court of Appeal for all such Purposes as hereinafter mentioned.

LXXXII. And be it further enacted, That in case any Officer of Excise who shall exhibit any Information, or any Person or Persons against whom any Information shall have been exhibited, or who shall appear and claim any Goods, Commodities, or Chattels alleged to be forfeited in any Information exhibited before the Commissioners of Excise, shall feel aggrieved by the Judgment given thereon by such Commissioners, it shall be lawful for such Officer, or such Person or Persons, upon giving such Notice as hereinafter mentioned, to appeal therefrom to such Commissioners of Appeal as aforesaid; and it shall be lawful for such Commissioners of Appeal, or the major Part of them, upon being served with such Notice, and they are hereby respectively authorized and required, at such Place and at such Time as they shall in that Behalf appoint, to hear, adjudge, and finally determine such Appeal; and in case any Officer who shall exhibit any

any Information, or any Person or Persons against whom any Information shall have been exhibited, or who shall appear and claim any Goods, Commodities, or Chattels alleged to be forfeited in any Information exhibited before any Justice or Justices of the Peace as aforesaid, shall feel aggrieved by the Judgment given thereon by such Justices, it shall be lawful for such Officer, or such Person or Persons, upon giving such Notice as hereinafter mentioned, to appeal therefrom to the Justices assembled at the next General Quarter Sessions of the Peace (or if there be not One Week between the Time of giving such Notice and the next General Quarter Sessions, then to the General Quarter Sessions of the Peace next after the Expiration of One Week) to be holden in and for the County, Shire, Division, City, Town, or Place in which such Judgment so appealed against shall have been given; and it shall be lawful for the Justices of the Peace at such General Quarter Sessions, upon being served with such Notice, and they are hereby respectively authorized and required, at such General Quarter Sessions, to hear, adjudge, and finally determine such Appeal; and if upon any such Appeal, either to the Commissioners of Appeal, or Justices of the Peace at Quarter Sessions, any Defect in Form shall be found in the Information, or in any Part of the Proceedings thereon or relating thereto, or in the Record thereof, every such Defect of Form shall thereupon be rectified and amended by Order of such Commissioners of Appeal, or of such Justices, or the major Part of them assembled at such General Quarter Sessions, before whom respectively such Appeal shall be brought; any thing in this Act, or any other Act or Acts of Parliament, to the contrary notwithstanding.

Appeal from
Justices of
Quarter Ses-
sions.

Defects of
Form cured
upon Appeal.

LXXXIII. Provided always, and be it enacted, That no such Appeal as aforesaid shall be allowed, unless the Party or Parties Appellant shall, at and immediately upon the giving of the Judgment appealed against, give Notice in Writing of such Appeal to the Commissioners of Excise or Justices of the Peace respectively from whose Judgment such Appeal shall be made, and also to the adverse Party or Parties on such Appeal, and shall lodge such Notice at the Office or with the Registrar of the Commissioners of Appeal, or with the Clerk of the Peace for the Justices of the Peace at such General Quarter Sessions as aforesaid, respectively, by and before whom such Appeal is to be finally adjudged and determined; and no such Appeal as aforesaid shall be heard, unless the Party or Parties Appellant on such Appeal shall, within One Week at least before such Appeal is to be finally adjudged and determined, give Notice in Writing to the adverse Party or Parties on such Appeal of the Time and Place where such Appeal is to be heard: Provided always, that where the Judgment appealed against shall be a Conviction in any Penalty or Penalties of the Party or Parties Appellant, such Party or Parties shall also, within Three Days next after the giving of the Judgment appealed against, place and deposit in the Hands of the Commissioners of Excise, or of the Collector of Excise in whose Collection, or of the Supervisor of Excise in whose District the Information shall have been exhibited, the Amount of the Penalty or Penalties in which such Party or Parties shall have been convicted,

No Appeal
allowed unless
a Notice of
Appeal given.

No Appeal to
be heard unless
Notice of Trial
given.

Deposit shall
be made in
certain Cases.

victed, or of the Sum or Sums of Money to which such Penalty or Penalties shall have been mitigated; or where the Judgment appealed against shall be either for or against the Condemnation of any Goods, Commodities, or Chattels seized as forfeited, such Goods, Commodities, and Chattels shall be left and deposited with the Commissioners of Excise, or the Collector of Excise in whose Collection, or the Supervisor of Excise in whose District the Information shall have been exhibited, until the final Adjudication and Determination of such Appeal.

Commissioners of Appeal, or Quarter Sessions, on Appeal, to examine only the Evidence before given, and in case of any new Judgment to have the like Power of Mitigation as the original Justices.

LXXXIV. And be it further enacted, That upon every such Appeal it shall be lawful for the Commissioners of Appeal, or the Justices of the Peace at the General Quarter Sessions respectively, before whom respectively any such Appeal shall be brought, and they are hereby respectively authorized and required to proceed to re-hear upon Oath and to re-examine the same Witness and Witnesses, and to reconsider the same Evidence, and the Merits of the Case whereon the original Judgment appealed against shall have been given, and they shall not examine any Evidence, or any Witness or Witnesses, other than or different from the Evidence and the Witness or Witnesses which and who shall have been before examined before the Commissioners of Excise or Justices of the Peace respectively, at the Trial and Hearing of the Information upon which the original Judgment shall have been given; and such Commissioners of Appeal, and Justices of the Peace at General Quarter Sessions, are hereby respectively authorized and empowered, on any such Appeal, to reverse or confirm in the whole or in part the Judgment appealed against, or to give such new or different Judgment as they in their Discretion shall in that Behalf think fit; and such Commissioners of Appeal, and Justices of the Peace at General Quarter Sessions respectively, shall in any such new or different Judgment have the same Power of Mitigation as is hereinbefore by this Act given to Justices of the Peace and Commissioners of Excise in Judgments respectively given by them: Provided always, that it shall be lawful for such Commissioners of Appeal, and Justices of the Peace at such General Quarter Sessions respectively, as aforesaid, at their Discretion, to state the Facts of any Case on which such Appeal shall be made specially for the Opinion and Direction of the Court of Exchequer in *England, Scotland, or Ireland*, as the same shall have arisen therein respectively.

Proceedings upon Determination of Appeal.

LXXXV. And be it further enacted, That where the Judgment of the Commissioners of Excise or Justices of the Peace appealed against, shall be affirmed by the Court of Appeal, such Judgment shall be enforced and executed by the Commissioners of Excise or Justices of the Peace respectively, in like Manner as if there had been no such Appeal; and that where the Judgment appealed against shall be reversed, and another or different Judgment given by the Court of Appeal than the Judgment given by the Commissioners of Excise or Justices of the Peace appealed against, such new Judgment shall be enforced and executed, as hereinafter mentioned, by the Commissioners of Appeal, or Justices of the Peace at the General Quarter Sessions, by whom respectively such new Judgment shall have been given.

LXXXVI. And

LXXXVI. And be it further enacted, That where any Judgment,† is by this Act required to be enforced and executed by the Commissioners of Excise, or Justices of the Peace (the same not having been appealed against, or if appealed against, having been affirmed by the Court of Appeal) shall be for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited, it shall be lawful for such Commissioners of Excise and Justices of the Peace respectively, and they are hereby respectively authorized and required to apply the Money which shall have been so deposited as aforesaid in Satisfaction of such Judgment, and if the same shall not be sufficient to satisfy such Judgment, to award and grant a Warrant or Warrants under their Hands, to any Officer or Officers of Excise, for the Sale of such Goods, Commodities, or Chattels which they respectively shall have condemned; and where the Judgment to be so enforced and executed shall be for any Penalty or Penalties, or for any Sum or Sums of Money to which such Penalty or Penalties shall have been mitigated, it shall be lawful for such Commissioners of Excise or Justices of the Peace respectively, and they are hereby respectively authorized and required to award and grant a Warrant or Warrants under their Hands, to any Officer or Officers of Excise, authorizing such Officer or Officers to levy the Penalty or Penalties, or Sum or Sums of Money, so adjudged, or so much thereof as shall not have been so satisfied as aforesaid, upon the Goods and Chattels of such Person or Persons so convicted, and either to detain and keep such Goods and Chattels in the House or Place where the same shall have been found, or to remove the same to the next Office of Excise.

Commissioners of Excise and Justices shall grant Warrants for the Sale of Goods, or levying of Penalties, on Judgments to be enforced by them.

† *Sic.*

LXXXVII. And be it further enacted, That where any Judgment† is by this Act required to be enforced and executed by the Commissioners of Appeal, or by the Justices of the Peace at the General Quarter Sessions on Appeal, shall be for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited, it shall be lawful for such Commissioners of Appeal or Justices of the Peace respectively, and they are hereby respectively authorized and required to grant a Warrant or Warrants, under their Hands, or under the Hands of any Two of such Commissioners or Justices respectively, to any Officer or Officers of Excise, for the Sale of the Goods, Commodities, or Chattels which they respectively shall have condemned; and where the Judgment to be so enforced and executed shall be for any Penalty or Penalties, or for any Sum or Sums of Money to which such Penalty or Penalties shall have been mitigated, it shall be lawful for such Commissioners of Appeal, or Justices of the Peace at the General Quarter Sessions respectively, and they are hereby respectively authorized and required to apply the Money which shall have been so deposited as aforesaid in Satisfaction of such Judgment; and if the same shall not be sufficient to satisfy such Judgment, to award and grant a Warrant or Warrants under their Hands, or under the Hands of any Two of such Commissioners or Justices respectively, to any Officer or Officers of Excise, authorizing such Officer or Officers to levy the Penalty or Penalties, or Sum or Sums of Money, so adjudged, or so much thereof as shall not have been so satisfied as aforesaid, upon the Goods and

Commissioners of Appeal and Justices at Quarter Sessions shall grant Warrants for the Sale of Goods or Levy of Penalties, on Judgments to be enforced by them.

† *Sic.*

Chattels of such Person or Persons so convicted, and either to detain and keep such Goods and Chattels in the House or Place where the same shall have been found, or to remove the same to the next Office of Excise.

In Levy Warrants any Time not less than Four nor exceeding Eight Days may be appointed for the Sale of Distress.

LXXXVIII. And be it further enacted, That it shall be lawful in any such Levy Warrant to order and direct therein that the Goods and Chattels upon which such Levy shall be made shall be sold and disposed of so soon as conveniently may be after a certain Time to be limited in such Warrant for the Sale thereof (so as such Time be not less than Four Days nor more than Eight Days), unless the Penalty and Penalties, or Sum and Sums of Money for which such Levy shall be made, shall, within the Time limited for Payment thereof as aforesaid, be paid and satisfied.

Penalty and Expences to be deducted from the Sale, and the Overplus returned.

LXXXIX. And be it further enacted, That it shall be lawful for the Officer of Excise making such Levy, and he is hereby empowered and required to deduct the Penalty and Penalties, or Sum and Sums of Money for which such Levy shall be made, and all reasonable Charges and Expences attending such Levy, out of the Money arising by such Sale as aforesaid, and to return the Overplus (if any) to the Proprietor or Proprietors of the Goods and Chattels upon which such Levy shall have been made, or to the Person or Persons legally entitled thereto; and such Officer shall, if required, show such Warrant to the Person or Persons upon whose Goods and Chattels such Levy shall be made, and shall suffer such Person or Persons to take a Copy thereof; and every such Warrant shall be of the same Force and Effect in all respects as a Writ of Fieri facias issued out of His Majesty's Court of Exchequer in *England* for the Recovery of any Debt due to His Majesty.

A Copy of the Warrant may be taken.

Force of the Warrant.

Where sufficient Distress cannot be found, a Warrant may issue for the Arrest of the Person.

XC. And be it further enacted, That for Want of sufficient Goods and Chattels whereon such Penalty and Penalties, or Sum and Sums of Money, with the Charges and Expences aforesaid, may be levied, and on a Return in Writing made upon any Levy Warrant by any Officer to whom such Warrant may have been directed, to the Persons by whom such Warrant shall have been granted, or to the Commissioners of Excise, or any One or more of the Justices of the Peace within whose Jurisdiction respectively any such Warrant shall have been issued, that such Officer cannot find, within the Jurisdiction in which such Warrant shall have been issued, any Goods and Chattels of the Person or Persons against whom such Warrant shall have been granted, whereon the same can be levied, or on a Return as aforesaid, that Part of such Penalty and Penalties, or Sum and Sums of Money, Charges, and Expences, has been levied or paid, and that such Officer cannot find any further Goods and Chattels of the Person or Persons against whom such Warrant shall have been granted (beyond the Goods and Chattels already seized and sold as aforesaid), within such Jurisdiction as aforesaid, whereon the Residue of such Penalty and Penalties, or Sum and Sums of Money, Charges, and Expences, can be levied, it shall be lawful for the Persons by whom such Warrant shall have been granted, or for any Two or more of the Commissioners of Excise, or any One or more of the Justices of the Peace to whom respectively such Return shall have been made as aforesaid, and they are hereby respectively authorized

authorized and required thereupon to grant a Warrant or Warrants in manner aforesaid, to any Officer or Officers of Excise, to arrest and convey such Person or Persons to the Common Gaol or House of Correction within his or their Jurisdiction respectively, and there to deliver the Person or Persons so arrested, with a Duplicate of such Warrant or Warrants, to the Gaoler or Keeper of such Gaol or House of Correction, there to remain and be kept by such Gaoler or Keeper until Satisfaction be made of such Judgment as aforesaid, or until such Person or Persons shall be ordered by the Commissioners of Excise or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, to be liberated or discharged; any Law, Bill of Health, Custom, or Usage in *England*, *Scotland*, or *Ireland*, to the contrary thereof in anywise notwithstanding.

XCI. Provided always, and be it enacted, That where any Goods or Chattels of and belonging to any Person or Persons against whom any such Warrant for Arrest shall have been granted, shall be found at any Time or Times after the granting or Execution of such Warrant, it shall be lawful for the Person or Persons by whom such Warrant shall have been granted, or for any Two or more of the Commissioners of Excise, or for any One or more of the Justices of the Peace in whose Jurisdiction respectively any such Goods or Chattels shall be found, and he and they is and are hereby respectively authorized and required, notwithstanding the granting of such Warrant of Arrest, to award and grant a fresh Warrant or Warrants under his or their Hand or Hands, to any Officer or Officers of Excise, to levy upon the Goods and Chattels so found any Penalty or Penalties, or any Sum or Sums of Money, Charges, and Expences, for which the former Levy Warrant may have been granted, or to levy so much thereof as may not have been before paid; and upon Payment and Satisfaction thereof, the Warrant for Arrest shall be discharged, and the Person or Persons arrested shall be forthwith liberated out of Custody.

XCII. And be it further enacted, That where any such Warrant as aforesaid shall be granted, and cannot be executed by reason that sufficient Distress, or that the Person or Persons against whom the same shall have been granted, cannot be found within the limits of the Jurisdiction of the Commissioners or Justices in which such Warrant shall have been issued, it shall be lawful for any One or more of the Justices of the Peace for any other County, Shire, Division, City, Town, or Place, within the United Kingdom, and such Justice or Justices is and are hereby respectively authorized and required to indorse his or their Name or Names respectively upon such Warrant; and such Warrant and Indorsement thereon shall be a sufficient Authority to the Officer or Officers of Excise to whom such Warrant shall be directed, or having the Execution thereof, to execute the same in such other County, Shire, Division, City, Town, or Place, and to levy as aforesaid the Penalty and Penalties, or Sum and Sums of Money, for which such Warrant shall have been granted, or so much thereof as may not have been before paid upon the Goods and Chattels of and belonging to the Person or Persons against whom

A fresh Levy Warrant may be issued when Goods are found after the Issue or Execution of Arrest Warrant.

Warrants to be executed in any Part of the United Kingdom, upon Indorsement by Justice of the Peace for the Place in which the same shall be executed.

No Action shall be brought against any Justice for granting or indorsing Warrant.

Proceedings necessary for the Condemnation of Seizures, where the Owners of the Goods do not appear to claim.

whom such Warrant shall have been granted, which shall be found within the Jurisdiction of the Justice or Justices indorsing such Warrant, or to arrest and convey such Person or Persons to the Common Gaol or House of Correction of the County, Shire, Division, City, Town, or Place where such Warrant shall have been executed, there to remain until delivered, as by this Act is before directed : Provided always, that no Action of Trespass or False Imprisonment, nor any Information or Indictment, or other Prosecution, shall be brought, commenced, or prosecuted against any Justice or Justices of the Peace respectively for or by reason of his or their having granted subsidiary Warrants, or indorsed any Warrant in pursuance and under the Directions of this Act in execution of any Judgment, but it shall be lawful for any Person or Persons to bring or prosecute his, her, or their Action or Suit against the Commissioners or Justices respectively by whom the original Warrant in execution of such Judgment shall have been granted, in the same Manner as such Person or Persons might have done if this Act had not been made.

XCIII. And be it further enacted, That in all Cases where any Seizure shall be made of any Goods, Commodities, or Chattels, under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and no Person shall appear to claim the Goods, Commodities, or Chattels so seized, then and in every such Case, if such Seizure shall have been made within the Limits of the Chief Office of Excise, it shall be lawful for any Officer of Excise who shall have made such Seizure, after the Expiration of Fourteen Days next after the Day on which such Seizure shall have been made, to cause Notice in Writing, signed by the Solicitor of Excise for the summary Jurisdiction, to be affixed on some conspicuous Part of the Outside of the Chief Office of Excise, signifying the Day when the Commissioners of Excise, or any Three or more of them, will proceed to hear and adjudge the Matter of such Seizure; and if any such Seizure shall have been made as aforesaid in any Part of the United Kingdom out of the Limits of the Chief Office of Excise, it shall be lawful for any Officer of Excise who shall have made such Seizure to cause a Notice, issued by any Justice or Justices of the Peace within whose Jurisdiction any such Seizure shall have been made, and before whom any Information shall have been exhibited for the Condemnation thereof, to be affixed on some conspicuous Part of the Outside of the Office of Excise next to the Place where such Seizure shall have been made, during the Market Day next after the Expiration of Six Days from the Day on which such Seizure was made, or during any other subsequent Market Day, in which Notice there shall be specified the Day (the same being any Day after the Termination of Eight Days from the Date of such Notice) and the Place when and where the Justices of the Peace will proceed to the hearing and adjudging of the Matter of any such Seizure; and it shall be lawful for the said Commissioners of Excise and Justices of the Peace respectively, within their respective Jurisdictions, and they are hereby respectively authorized and required to proceed, on the Day and at the Place mentioned in such Notice, to examine into the Cause of any such Seizure, and to give Judgment

ment accordingly; and such Judgment shall be as good, valid, and effectual in Law as if the respective Proprietor or Proprietors of the Goods, Commodities, or Chattels seized respectively, had been respectively summoned in manner hereinbefore in this Act directed.

XCIV. Provided always, and be it enacted, That where any Horses or other Cattle, or any Goods of a perishable Nature, shall be seized by any Officer or Officers of Excise as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, and they are hereby respectively authorized to order any such Seizure as aforesaid to be liberated and delivered up to the Claimant or Claimants thereof, upon such Claimant or Claimants entering into a Bond to His Majesty, in the Penalty of Double the Value of the Horses or other Cattle or Goods respectively so liberated and delivered up as aforesaid, with a Condition thereunder written, that such Bond shall be void upon Payment of the appraised Value of such Horses or other Cattle, or of such Goods respectively, as aforesaid, on the Condemnation thereof as forfeited; and if no Claimant of any such Horses or other Cattle, or of such Goods respectively, shall appear, or, if appearing, such Claimant shall refuse or neglect to enter into such Bond as aforesaid, it shall be lawful for the Commissioners of Excise, and Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, and they are hereby respectively authorized, at any Time after the Expiration of Fourteen Days from the making of any such Seizure, to order and direct that all such Horses or other Cattle, or all such Goods respectively, as aforesaid, shall be sold at public Auction, notwithstanding the Condemnation thereof shall not at that Time have taken place: Provided always, that if any such Horses or other Cattle, or if any such Goods as aforesaid, shall be afterwards ordered to be restored without any Proceeding being instituted for the Condemnation thereof, or if instituted before the same shall have been condemned, or if upon the Hearing or Trial for the Condemnation of such Horses or other Cattle, or of such Goods as aforesaid, the Decision or Verdict thereupon shall be in Favour of the Claimant or Claimants thereof, the appraised Value of such Horses or other Cattle, or of such Goods as aforesaid, or the Proceeds of the Sale thereof respectively, at the Election of such Claimant or Claimants, shall on Demand thereof be paid to such Claimant or Claimants, by the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, together with such further reasonable Sum, by way of Compensation for the Loss sustained by reason of the Seizure, Detention, and Sale of such Horses or other Cattle, or of such Goods as aforesaid, as the Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, shall in their Discretion think fit; and if the Proprietor or Proprietors, or Claimant or Claimants, of any such Horses or other Cattle, or of any such

Proceedings upon the Seizure of Horses or Cattle, or Goods of a perishable Nature.

Goods as aforesaid, shall accept such appraised Value, or Proceeds of Sale, together with such further Sum as aforesaid, no such Proprietor or Claimant shall have or be entitled to maintain any Action or Suit for any Recompence or Damage on account of the Seizure, Detention, or Sale of any such Horses or other Cattle, or of any such Goods as aforesaid; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Sheriff to grant Warrant on a Writ of Capias indorsed by one of the Solicitors of Excise.

XCV. And be it further enacted, That where any Writ of Capias, or other Writ or Process authorizing or directing the Arrest of any Person or Persons for or on account of any Penalty or Penalties by such Person or Persons incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise or Customs, or for or on account of any Duty of Excise, or any other Matter or Thing relating to the Revenue of Excise, shall issue out of the Court of Exchequer in *England, Scotland, or Ireland*, directed to any Sheriff, Sheriff Depute, Mayor, Bailiff, or other Person having the Execution of any such Writ of Capias, or other Writ or Process as aforesaid, in any County, Shire, Division, City, Town, or Place in any Part of the United Kingdom, every such Sheriff, Sheriff Depute, Mayor, Bailiff, and other Person, and their and every of their Under Sheriffs, Deputies, and other Persons acting for them in any of the said Offices respectively, shall and they are hereby respectively enjoined and required, upon the Request or Application of any of the Solicitors of Excise in *England, Scotland, or Ireland*, (such Request to be in Writing, and indorsed upon the Back of such Writ of Capias or other Writ or Process as aforesaid, and signed by such Solicitor with his Name, and Addition of Solicitor of Excise,) to grant a special Warrant or Warrants to such Person or Persons as shall be specified in such Indorsement by such Solicitor, for the Apprehension of the Person or Persons named in such Writ of Capias, or other Writ or Process as aforesaid; and in default thereof every such Sheriff, Sheriff Depute, Mayor, Bailiff, or other Person, having Execution in any such Writ of Capias, or other Writ or Process as aforesaid, and every Under Sheriff, Deputy, or other Person acting for them in the said Offices respectively, by or through whom the said Default shall have been made, shall be subject and liable to such Process of Contempt, Fine, Amerciament, Penalty, and Forfeiture, as they or any of them are now by any Law, Custom, or Usage liable to in case of refusing or neglecting to execute the like Writ of Capias, or other Writ or Process, in the common and usual Method of proceeding thereon.

Sheriffs indemnified from Escapes in Cases where the Warrant is granted at Request of the Solicitor of Excise.

XCVI. And be it further enacted, That all and every such Sheriff, Sheriff Depute, Mayor, Bailiff, Under Sheriff, Deputy, and other Person so granting such special Warrant as aforesaid, shall be and they are hereby respectively saved harmless and indemnified against His Majesty, His Heirs and Successors, and against all and every other Person or Persons whomsoever, for or on account of any Escape of any Person or Persons who shall or may be taken by virtue of any such Warrant as aforesaid, which shall happen between the Time of taking such Person or Persons, and the Time of such Person or Persons being committed to proper Gaol or Prison, or offered and tendered to the Gaol Keeper or other Person

Person having Charge of such Gaol or Prison, (who is hereby enjoined and required to receive every such Person or Persons so apprehended as aforesaid, and to give a Receipt for the Body or Bodies of such Person or Persons,) and of and from all Actions, Prosecutions, Processes of Contempt, and other Proceedings for or on account of any such Escape; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

XCVII. And be it further enacted, That whenever any Prosecution shall be commenced or depending for the Recovery of any Penalty incurred, or for the Condemnation of any Seizure made under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, it shall be lawful for His Majesty's Attorney General, or if there be no Attorney General, or † His Majesty's Solicitor General in *England* and *Ireland* respectively, or for the Lord Advocate, or if no Lord Advocate, for the Solicitor General in *Scotland*, if it shall appear to his Satisfaction that such Penalty or Forfeiture was incurred without any Intention of Fraud, or of offending against any Law of Excise, to stop all further Proceedings by entering a Noli prosequi, or otherwise, to or on such Prosecution, as well with respect to the Share of such Penalty or Forfeiture to which any Officer or other Person shall or may claim to be entitled, as to the Share thereof belonging to His Majesty; any Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

XCVIII. And be it further enacted, That in all Cases where any Penalty or Forfeiture shall be incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and it shall appear to the Satisfaction of the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, that the same was incurred without any Intention of Fraud, or of offending against this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, it shall be lawful for such Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, to forbear to order any Prosecution for the Recovery of such Penalty, or, upon such Terms and Conditions as they respectively shall order in that Behalf, to forbear to order any Prosecution for the Condemnation of such Seizure, and to restore such Seizure to the Proprietor or Proprietors or Claimant or Claimants thereof; and that in all Cases where any Prosecution shall have been commenced, or shall be depending, for the Recovery of any Duty or any Penalty incurred, or for the Condemnation of any Seizure made under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, at any Time before Judgment shall be thereupon respectively entered up or given, to compound any such Prosecution respectively, by the Acceptance of such Sum of Money as they respectively shall deem fit and reasonable in that Behalf, for any such Duty, or in Mitigation of any such Penalty, or for and in lieu of the Value of any such Seizure, in or by way of Compromise of such Prosecution; and

The Attorney General may enter a Noli prosequi in any Prosecution under the Excise Laws.

† Sic.

Commissioners may forbear to prosecute for Penalties, or order Seizures to be restored, or compound Prosecutions, at any Time before Judgment.

If Terms accepted, or Seizures received, no Proceedings to be brought for Detention.

Treasury may order Seizures to be restored, or Penalties mitigated or remitted, before or after Judgment, on such Terms as they shall direct.

Forfeitures, after Condemnation (where no special Directions are given), shall be sold publicly to the best Bidder.

No Goods to be sold for Home Consumption at less Price than the Amount of the Duties.

upon Payment and Satisfaction thereof to stay all further Proceedings, and to restore the Seizure to the Proprietor or Proprietors, or Claimant or Claimants thereof, making or entering into such Compromise: Provided always, that if any such Proprietor or Claimant of any such Seizure as aforesaid shall accept such Terms and Conditions as aforesaid, or shall receive back any such Seizure upon such Terms and Conditions, no such Proprietor or Claimant shall have or be entitled to maintain any Action or Suit for any Recompence or Damages on account of the Seizure or Detention thereof; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

XCIX. And be it further enacted, That in all Cases where any Penalty or Forfeiture shall be incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, it shall be lawful for the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, if he or they shall see Cause, by any Order for that Purpose to be made under his or their Hand or Hands, to direct the Seizure, or any Part thereof, to be restored to the Proprietor or Proprietors or Claimant or Claimants thereof, whether such Seizure shall or shall not be condemned at the Time of such Order, and to mitigate or remit any Penalty, or any Part thereof, either before or after Judgment for any such Penalty, in such Manner and upon such Terms and Conditions as under the Circumstances of the Case shall appear to the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, to be reasonable, and as he or they shall think fit to direct by such Order as aforesaid; and no Person shall be entitled to the Benefit of any such Order, unless the Terms and Conditions therein contained shall be complied with; nor shall any Person accepting such Terms and Conditions be entitled to maintain any Action or Suit for any Recompence or Damages on account of any such Seizure, or the Detention thereof.

C. And be it further enacted, That all Goods, Commodities, and Chattels whatsoever, seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall after the same shall have been condemned (such Cases only excepted for which other Directions shall in any Act or Acts of Parliament relating to the Revenue of Excise be specially given) be publicly sold to the best Bidder, at such Time and Place, and in such Manner, as the Commissioners of Excise or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively shall order and direct, under and subject to all such Rules, Regulations, and Provisions as by this Act, or any other Act or Acts of Parliament, are in that Behalf made and directed.

CI. And be it further enacted, That no Goods or Commodities, of a Sort or Kind subject to any Duty of Excise or Customs, and for or in respect of which every such Duty shall not have been paid, which shall be ordered or directed to be sold by the Commissioners of Excise, or by the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, under this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, or the Sale of which shall

shall be directed under any other Act or Acts of Parliament, shall be sold for Home Consumption at a less Price than shall be equal to the Amount of the Duty and Duties aforesaid which shall not have been paid; and that all such Goods and Commodities, for which, on any Sale so ordered or directed, a Price shall not be offered equal at the least to the Amount of such Duty and Duties, and all condemned Goods and Commodities, the Importation whereof is or shall be wholly prohibited, shall be forthwith destroyed, or shall be sold for Exportation, or applied and disposed of to such public Use as shall be ordered by the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury.

If such Price not offered, Goods to be destroyed, or sold for Exportation, or otherwise disposed of.

CII. And be it further enacted, That all Costs and Expences attending the Seizure, Detention, Custody, Removal, Prosecution, Condemnation, and Sale of any Goods, Commodities, or Chattels whatsoever, forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, shall (such Cases only excepted for which other Directions shall in any Act or Acts of Parliament relating to the Revenue of Excise be specially given) be paid out of the gross Proceeds arising from the Sale thereof respectively, whenever the same shall be sold; and in case the same shall not be sold, but shall be destroyed or otherwise disposed of, all such Costs and Expences shall be paid out of the Revenue of Excise.

Expences attending Forfeitures to be paid out of the gross Proceeds of the Sale thereof; or if not sold, out of the Revenue.

CIII. And be it further enacted, That all Penalties and Forfeitures incurred and recovered under or by virtue of this Act or any other Act or Acts of Parliament relating to the Revenue of Excise (such Cases only excepted for which other Directions shall in any Act or Acts of Parliament relating to the Revenue of Excise be specially given) shall, after Deduction therefrom of all Costs and Expences relating thereto incurred, be distributed, One Moiety thereof to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Officer or Officers of Excise, or the Person or Persons who shall discover, inform, or sue for the same.

Penalties and Forfeitures to be distributed equally between His Majesty and the Informer.

CIV. Provided always, and be it enacted, That upon Proof being made to the Satisfaction of the Commissioners of Excise, or of the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, that any Officer or other Person to whom any Part or Share of any Penalty or Forfeiture, or any Reward, shall be given or payable by any Act or Acts of Parliament relating to the Revenue of Excise or Customs, has acted collusively or negligently, either in making any Seizure, or in the wilful Omission or Failure to make any Seizure, or to discover any Fraud, or to arrest or make known any Offender against any Act or Acts of Parliament relating to the Revenue of Excise or Customs, in the particular Case in or for which such Part or Share of any Penalty or Forfeiture, or such Reward, is given or payable; it shall be lawful for the said Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, in such Case to direct that the Whole or any Part of such Part or Share of any Penalty or Forfeiture, or of such Reward, which might and otherwise would have been given or payable

On Proof being made of the Officer acting collusively in making Seizures, the Commissioners of Excise may direct his Share to be forfeited.

payable to such Officer or other Person, shall be forfeited, and shall go and be applied in such Manner as His Majesty's Share of such Penalty or Forfeiture is by Law at such Time directed to be applied.

In Exchequer Prosecutions Expenses may be paid, by Direction of the Treasury, out of the Revenue of Excise, and Officers allowed their Moiety.

CV. And be it further enacted, That in any Prosecution for any Penalty incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and carried on in His Majesty's Court of Exchequer in *England, Scotland, or Ireland*, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland and Ireland* respectively, under the Direction of the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, to order the Whole or any Part of the Costs and Expences of such Prosecution, whether the Money which shall be recovered or received from the Defendant or Defendants, either by way of Penalty or Compromise, shall be sufficient to satisfy and discharge such Costs and Expences or not, to be paid out of the Revenue of Excise, and to allow out of such Revenue to the Officer or Officers concerned in such Prosecution, or Person or Persons through whose Information or by whose Means or Assistance the Offence or Offences shall have been detected, any Sum or Sums of Money, not exceeding a Moiety of the Sum or Sums of Money which shall be so recovered or received as aforesaid; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

In Prosecutions for Seizures the Expences may be paid out of the Revenue of Excise.

CVI. And be it further enacted, That in any Prosecution carried on in His Majesty's Court of Exchequer in *England, Scotland, or Ireland*, for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland and Ireland* respectively, under the Direction of the Commissioners of the Treasury, or any Three of them, to order the Whole or any Part of the Costs and Expences attending the Seizure, Detention, Custody, Removal, or Prosecution of any such Goods, Commodities, or Chattels, whether the same be condemned or not, and also of the Costs and Expences attending the Condemnation thereof, if the same be condemned, and of the Sale thereof if sold, whether the Produce arising from the Sale thereof shall be sufficient to answer the said Costs and Expences or not, to be paid out of the Revenue of Excise; and to distribute to and amongst the Officers and Persons who shall have made any such Seizure, or by whose Information or through whose Means or Assistance such Seizure shall have been made, a Sum or Sums of Money not exceeding the Part, Share, or Proportion of such Seizure, or the Value thereof, in case the same shall have been sold, or if not sold, but destroyed, or otherwise applied or disposed of as aforesaid, such Sum of Money or Reward for making such Seizure as shall be by Law directed to be paid in such Behalf respectively as aforesaid, in full, without deducting therefrom the said Costs and Expences, or any Part thereof.

Officers or Informers' Share of Proceeds of Sale, &c. to be paid without deducting Expences.

Officers of Customs to

CVII. And be it further enacted, That all Officers of the Customs who shall make any Seizure under or by virtue of this Act,
or

or any other Act or Acts of Parliament relating to the Revenue of Excise, of any Exciseable Goods or Commodities, shall forthwith give Notice of such Seizure at the next Office of Excise, or to the Supervisor or other Officer of Excise of the District where such Seizure shall have been made; and such Supervisor or other Officer of Excise shall, on such Notice, take a particular Account of the Species and Quantities of all such Goods and Commodities so seized respectively; and the same or any Part thereof shall not afterwards be removed without a Permit, (where a Permit is, for the Removal of Goods or Commodities of a similar Quantity, Sort, or Kind, required under any Act or Acts of Parliament relating to the Revenue of Excise,) signed by the proper Officer of Excise of the Place or District from whence the same shall be intended to be removed, on pain of Forfeiture thereof for such Removal.

give Notice of the Seizure of Exciseable Goods.

Such Goods, if removed without Permit, shall be forfeited.

CVIII. And be it further enacted, That all Goods or Commodities whatsoever which are or shall be prohibited, or which are or shall be subject to any Duty or Duties of Excise, and which shall be stopped, detained, or taken by any Police Officer or Peace Officer, or any other Person, under or by virtue of any Act or Acts of Parliament, or under or by virtue of any other Authority whatsoever, shall be conveyed, and the same is and are hereby directed and required to be forthwith conveyed to and deposited and lodged in the Chief Office of Excise, if the same shall have been stopped, detained, or taken within the Limits of the Chief Office, or in the nearest Office of Excise if in any other Part of the United Kingdom, in order that all such Goods or Commodities as aforesaid, and the Person or Persons in whose Custody or Possession the same were found, may be prosecuted or proceeded against as the Nature of the Case shall or may require; any thing in any Act or Acts of Parliament to the contrary thereof notwithstanding.

Seizures of Exciseable Commodities by Police or Peace Officers, to be lodged in the Chief or other Office of Excise.

CIX. Provided always, That in case any such Goods or Commodities as aforesaid shall be stopped, detained, or taken by any Police Officer or Peace Officer, or any other Person, on Suspicion of the same having been feloniously stolen or taken or received, it shall be lawful to and for such Police Officer or Peace Officer, or other Person so stopping, detaining, or taking the same, to convey to, deposit, and lodge forthwith all such Goods and Commodities as aforesaid in the Office of the Police Office nearest to the Place where the same shall have been so stopped, detained, or taken as aforesaid, or any other convenient Place directed by the Justice or Justices of the Peace before whom the same shall be carried, there to remain in order to be produced at the Trial of any Person or Persons who shall be charged with feloniously stealing, taking, or receiving the same; and every such Police Officer or Peace Officer, or other Person who shall so stop, detain, or take any such Goods or Commodities as aforesaid, after he shall have stopped, detained, or taken the same as aforesaid, shall forthwith give Notice thereof in Writing at the Chief Office of Excise, if the same shall have been stopped, detained, or taken within the Limits thereof; and if the same shall have been stopped, detained, or taken in any other Part of the United Kingdom, then at the Office of Excise nearest to the Place where the same shall have

If stopped on Suspicion of Felony, to be lodged in the Police Office, and Notice thereof given to the proper Officer of Excise, who shall be permitted to examine them.

have been so stopped, detained, or taken; and any Officer of Excise shall thereupon be permitted to examine and take account of the same.

After Trial, the Goods to be immediately deposited in the Excise Office, to be dealt with according to Law.

CX. And be it further enacted, That when and so soon as any Person or Persons charged with feloniously stealing, taking, or receiving any such Goods or Commodities as aforesaid shall have been tried for such Offence, all such Goods and Commodities respectively as aforesaid shall immediately be conveyed to and deposited in the Chief Office of Excise, or other Office of Excise as aforesaid, in order that Prosecution or Proceedings may be had for the Condemnation of such Goods or Commodities for such Cause or Causes of Forfeiture as the same shall be liable to, or that the same may be restored upon Payment of such Duty or Duties as may be due in respect thereof, or upon such Conditions as the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, shall think fit, to such Person or Persons as shall be proved to be the legal Proprietor or Proprietors thereof respectively, or for the Purpose of being otherwise dealt with according to Law.

Goods not so deposited shall be forfeited.

CXI. And be it further enacted, That in case any such Goods or Commodities which shall be so stopped, detained, or taken, shall not be conveyed to and deposited in the Chief Office of Excise, or other Office of Excise, in the Manner by this Act directed, all such Goods or Commodities which shall not be so conveyed to and actually deposited in the Chief Office of Excise, or other Office of Excise as aforesaid, shall be forfeited; and the Person or Persons in whose Care, Custody, or Possession the same shall be, and who shall neglect or refuse so to convey to and deposit the same as aforesaid, shall forfeit and lose the Sum of Twenty Pounds.

His Majesty's Share of Penalties to be accounted for as directed by the Treasury.

CXII. And be it further enacted, That the Commissioners of Excise, and the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, shall, and they are hereby respectively authorized and required to keep a separate and distinct Account of the Surplus (after Deduction of all Costs and Expences) of the Money received on Behalf of His Majesty from any Penalties and Forfeitures incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, and to account for the same in such Manner as the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, shall direct: Provided always, that nothing in this Act contained shall be deemed or construed to extend to affect or alter the hereditary Revenue of His Majesty, His Heirs and Successors, in *Scotland*, or other Revenues there granted to His late Majesty King *George* the Second during his Life, and reserved to His present Majesty during his Life by an Act made in the First Year of His present Majesty's Reign, but the same shall continue to be paid over in like Manner as heretofore; any thing in this Act contained to the contrary notwithstanding.

Nothing herein to affect the hereditary Revenue in *Scotland*.

Allowance to Excise Prisoners.

CXIII. And be it further enacted, That for the necessary Subsistence of any poor Person who shall be confined under or by virtue of any Exchequer Process for the Recovery of any Duties

or

or Penalties under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, or who shall be confined under or by virtue of any Warrant granted by the Commissioners of Excise, or any Justices of the Peace within the United Kingdom under or by virtue of this Act, or the said other Acts, or any of them, or who shall be confined under or by virtue of any Writ of Extent for the Recovery of any Debt due to His Majesty, prosecuted under or by virtue of any Order of the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, it shall be lawful for the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, to cause, at their Discretion, an Allowance not exceeding the Sum of Eight Pence *per* Day to be made to such poor Person out of any Money in their Hands respectively arising from the Revenue of Excise.

CXIV. And be it further enacted, That no Writ, Summons, or Process shall be sued out against or served upon, nor shall any Action be brought, raised, or prosecuted against any Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid and Assistance of any such Officer or Person so employed as aforesaid, for any thing done in pursuance of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, until after the Expiration of One Calendar Month next after Notice in Writing shall have been delivered to such Officer or Person as aforesaid, or left at the usual Place of his Abode, by the Attorney or Agent for the Person or Persons who shall intend to sue out such Writ or Process, or to bring, raise, or prosecute such Action as aforesaid; in which Notice shall be clearly and explicitly contained and set forth the Cause of such Action, the Time when and the Place where such Cause of Action arose, the Name and Place of Abode of the Person or Persons in whose Name or Names such Action or Suit is intended to be brought, and the Name and Place of Abode of the said Attorney or Agent; and that a Fee of Twenty Shillings, and no more, shall be paid for the preparing and serving of every such Notice.

CXV. And be it further enacted, That if any Action or Suit shall be brought, raised, or commenced against any Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid and Assistance of such Officer or Person so employed as aforesaid, for any thing done in pursuance of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, such Action or Suit shall be commenced within the Space of Three Calendar Months next after the Cause of Action shall have arisen, and shall be laid and prosecuted in the proper County or Place wherein the same arose; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence thereunder at any Trial to be had thereupon; and if afterwards a Verdict shall pass † the Defendant or Defendants, or the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue such Action or Suit, or if Judgment shall be given against such Plaintiff or Plaintiffs upon Demurrer or otherwise, then and in every such

No Action against any Officer of Excise without a Month's Notice, expressing the Names and Places of Abode of the Plaintiff and his Attorney.

Limitation of Action against Officers.

Venue.

General Issue.

† *Sic.*

Treble Costs.

such Case such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs.

Tender of
Amends may
be made within
One Month
after Notice
given, and
pleaded in Bar
if not accepted.

CXVI. And be it further enacted, That it shall be lawful to and for any Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid and Assistance of such Officer or Person so employed as aforesaid, to whom such Notice shall be given as aforesaid, at any Time within One Calendar Month next after such Notice shall have been given, to tender Amends to the Person or Persons in whose Name or Names such Action or Suit shall be brought, raised, or commenced, or to the Agent or Attorney of such Person or Persons; and in case such Amends shall not be accepted, it shall be lawful for any such Officer or Person to plead such Tender in bar to such Action or Suit, together with the Plea of Not Guilty, and any other Plea or Pleas, with Leave of the Court in which such Action or Suit shall be brought; and if upon Issue joined thereon the Jury shall find the Amends so tendered to have been sufficient, they shall give a Verdict for the Defendant or Defendants; and in such Case, or in case the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue such Action or Suit, or in case Judgment shall be given against such Plaintiff or Plaintiffs upon Demurrer or otherwise, then and in every such Case the same Costs shall be awarded to such Defendant or Defendants as if the General Issue only had been pleaded; and if, upon Issue so joined, the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants, on such other Plea or Pleas as aforesaid, such Jury shall give a Verdict for such Plaintiff or Plaintiffs, with such Damages as they shall think proper, together with Costs of Suit.

In case of
Nonsuit, &c.
Costs may be
awarded.

If Verdict for
Plaintiff, Da-
mages and
Costs may be
given.

Defendant may
pay Money into
Court before
Issue joined.

CXVII. And be it further enacted, That in case any such Officer of Excise, or any Person employed in the Revenue of Excise, or any Person acting in the Aid and Assistance of such Officer or Person so employed as aforesaid, shall neglect to tender Amends, or shall have tendered insufficient Amends before Action or Suit brought, raised, or commenced, it shall be lawful for the Defendant or Defendants, by Leave of the Court in which such Action or Suit shall be brought, raised, or commenced, at any Time before Issue joined, to pay into Court such Sum of Money as such Defendant or Defendants shall think fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

No Evidence
to be given of
a Cause of Ac-
tion not ex-
pressed in the
Notice.

CXVIII. Provided always, and be it enacted, That no such Plaintiff or Plaintiffs shall, on the Trial of any such Action or Suit, be permitted to produce any Evidence of any Cause of Action, except such as shall be contained and set forth in such Notice as aforesaid, nor shall recover any Verdict against any such Officer or Person as aforesaid, unless it shall be proved on the Trial of such Action or Suit that such Notice was given; and the Defendant or Defendants in such Action or Suit shall in default of such Proof recover a Verdict with such Costs as aforesaid.

On Trial for
Seizures, if the
Judge shall
certify probable

CXIX. And be it further enacted, That in case any Information shall be commenced and brought to Trial or Hearing for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited

forfeited under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise, wherein a Verdict or Decision shall be given or made for the Claimant or Claimants thereof, and it shall appear to the Judge or Court before whom the same shall be tried or heard that there was a probable Cause of Seizure, such Judge or Court shall certify upon the Record or other written Proceedings on such Information, that there was a probable Cause for making such Seizure, and in such Case the Officer of Excise, or Person who made or assisted in making such Seizure, shall not be liable to any Action, Indictment, or other Suit or Prosecution on account of such Seizure, or of the Detention of any such Goods, Commodities, or Chattels; and in case any Action, Indictment, or other Suit or Prosecution shall be brought to Trial or Hearing against any Officer of Excise or Person, on account of the seizing of any such Goods, Commodities, or Chattels, or of the Detention thereof (whether any Information shall have been or shall be brought to Trial or Hearing for the Condemnation of the same or not), and a Verdict or Sentence shall be given thereupon against the Defendant or Defendants therein, if the Court or Judge before whom such Action, Indictment, or other Suit or Prosecution shall be tried or heard, shall certify in like Manner as aforesaid that there was probable Cause for such Seizure, then and in such Case the Plaintiff or Plaintiffs therein, besides the Goods, Commodities, and Chattels respectively so seized or the Value thereof, shall not be entitled to more than Two Pence Damages, nor to any Costs of Suit, and the Defendant or Defendants therein shall not be imprisoned, nor be fined more than One Shilling thereon.

CXX. And be it further enacted, That it shall be lawful for the Commissioners of Excise, or any Three or more of them, within the Limits of the Chief Office of Excise, and for any Two or more of the Justices of the Peace in any other Part of the United Kingdom within whose Jurisdiction respectively any Person or Persons chargeable with any Duty of Excise shall have been charged therewith, upon Complaint to them respectively made by any such Person or Persons, of any Overcharge in that Behalf made by any Officer of Excise, within Twelve Calendar Months next after the making of such Charge, and such Commissioners and Justices are hereby respectively authorized and required to hear, adjudge, and determine such Complaint, and to examine the Witness or Witnesses upon Oath, who shall be thereupon produced, as well on the Behalf of the Person or Persons making such Complaint as on the Behalf of His Majesty, and of all Parties therein concerned, and shall thereupon, by Warrant under their Hands, discharge or acquit such Person or Persons of so much of such Charge as shall be made out and proved before such Commissioners of Excise or Justices of the Peace respectively, to have been overcharged; and if such Person or Persons shall, before such Acquittal, have paid any Money upon or in respect of such Overcharge, it shall be lawful for the Commissioners of Excise or the Commissioner or Commissioners and Assistant Commissioners of Excise in Scotland and Ireland respectively, and they are hereby respectively required, upon such Acquittal as aforesaid, to repay to such Person or Persons out

Cause of Seizure, the Officer shall not be liable to Action.

In Actions against Officers, if the Judge shall certify, Plaintiff shall not be entitled to more than 2d. Damages.

Complaints of Overcharge may be heard and determined by any Three Commissioners or Two Justices, in their respective Jurisdictions, within 12 Months after.

No Complaint shall be heard in London unless Entry thereof be made at the Chief Office, or, if in the Country, unless Notice be given to the Excise Officer.

Not to suspend the Payment of Duty or any Proceedings.

Salaries and Superannuation Allowances not liable to any Deductions, or assignable, or subject to be taken in Execution.

of the public Monies in their Hands, or at their Discretion, to allow out of the next Duties becoming payable by such Person or Persons, so much Money as shall have been so paid as aforesaid; any thing in this Act or in any other Act or Acts of Parliament to the contrary thereof in anywise notwithstanding: Provided always, that no such Complaint shall be heard before the said Commissioners of Excise, unless the same shall be entered by or on Behalf of the Complainant in a Book to be kept for that Purpose in the Office of the Solicitor of Excise, for the summary Jurisdiction at the Chief Office of Excise, stating the Particulars thereof, and the Name and Place of Residence of every such Complainant; and upon every such Complaint being so entered, a Notice shall be given by the said Commissioners of the Time and Place by them appointed for the Hearing of such Complaint; and if such Complainant shall not appear at the Time and Place appointed for the Hearing of any such Complaint, it shall be lawful for the said Commissioners, or any Three or more of them, to dismiss such Complaint, upon Proof of Notice of the Time and Place appointed for the Hearing of such Complaint having been given to such Complainant, or left at the Place mentioned in such Complaint Book as aforesaid, to be the Place of the Residence of such Complainant; and that no such Complaint shall be heard before any Justices of the Peace, unless a Notice in Writing of the Time and Place of hearing thereof (which Notice shall contain and set forth the Ground and Substance of such Complaint) shall be given to the Collector of Excise in whose Collection, or to the Supervisor of Excise in whose District such Overcharge shall have been made, within Eight Days at the least before the Time appointed for the Hearing of such Complaint; and provided always, that the Payment of any Duty with which any such Complainant as aforesaid shall have been charged, or any Proceedings for the Recovery of such Duty, shall not be delayed or suspended by reason of the making of any such Complaint, or of the same being depending.

CXXI. And be it further enacted, That no Salary or Sum of Money granted or allowed to any Commissioners, Assistant Commissioners, Officer, or other Person appointed or to be appointed to any Office, or employed or to be employed in or about the Collection, Receipt, or Management of the Revenue of Excise, or as or by way of Compensation for past Services, upon the Superannuation or Retirement of such Commissioner, Assistant Commissioner, Officer, or other Person, or otherwise, shall, after the Commencement of this Act, be wholly or in part assignable or transferable by any such Commissioner, Assistant Commissioner, Officer, or other Person in Manner whatsoever, or subject or liable to be seized or taken under or by virtue of any Writ of Attachment or Execution, or any other Process whatsoever, before the same shall have been actually paid by the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, or by the Person or Persons employed or directed by them respectively for that Purpose, to or for the Use of such Commissioner, Assistant Commissioner, Officer, or other Person, to whom the same shall have been granted or allowed; any thing in this Act,

or

or any other Act or Acts of Parliament, or any Law, Custom, or Usage to the contrary thereof notwithstanding.

CXXII. And be it further enacted, That it shall be lawful for the Commissioners of Excise, with the Consent of the Lord High Treasurer, or any Three or more of the Commissioners of the Treasury, to contract for or purchase in trust for His Majesty, His Heirs and Successors, for the Use and Service of the Revenue of Excise, any Messuages, Buildings, Lands, Tenements, or Hereditaments, either in Fee Simple or for any other or lesser Estate or Interest therein, which they the said Commissioners of Excise may deem desirable to be contracted for or purchased for the Use and Service of the Revenue of Excise; and that it shall be lawful for the Commissioners of Excise to pay the Consideration Money agreed to be paid or given for the Estate or Interest so contracted for or purchased out of any Money arising from the Revenue of Excise which shall be in their Hands; and that the several Messuages, Buildings, Lands, Tenements, or Hereditaments, which at any Time or Times hereafter may be so contracted for or purchased, with all the Rights, Members, Easements, and Appurtenances to the same respectively belonging, shall be conveyed and assured to and vested in the Secretary of His Majesty's Commissioners of Excise for the Time being, and in his Successors in such Office in perpetual Succession, according to the respective Nature and Quality of the said Messuages, Buildings, Lands, Tenements, and Hereditaments, and the Estate and Interest therein so contracted for or purchased in Trust for His Majesty, His Heirs and Successors, for the Use and Service of the Revenue of Excise.

Commissioners of Excise, with Consent of the Treasury, may purchase Lands, &c. for their Use, to be conveyed to their Secretary, in trust for His Majesty.

CXXIII. And be it further enacted, That upon the Death, Resignation, or Removal of the present Secretary, or of any future Secretary of the Commissioners of Excise in *England, Scotland, or Ireland* respectively, all Messuages, Buildings, Lands, Tenements, and Hereditaments, which have been heretofore purchased or otherwise acquired or taken by or in the Name or Names of the present or any former Secretary or Secretaries of the Commissioners of Excise in *England, Scotland, or Ireland* respectively, in trust for His Majesty or His Royal Predecessors, for the Use and Service of the Revenue of Excise, and which are still holden in such Trust, by whatsoever Mode or Conveyance the same may have been purchased or otherwise acquired and taken, either in Fee or for any other or lesser Estate or Interest (whether such Trust shall or shall not be expressed on the Face of the Conveyance or Assurance of such Messuages, Buildings, Lands, Tenements, or Hereditaments), and all Erections and Buildings which are or which shall or may be hereafter erected and built on any such Lands, Tenements, or Hereditaments, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging (other than and except such Messuages, Lands, Tenements, and Hereditaments as may be of Copyhold Tenure), shall be and become and remain and continue vested in the Secretary of His Majesty's Commissioners of Excise in *England* for the Time being, and in his Successors in such Office, in perpetual Succession, according to the respective Nature and Quality of the said Messuages, Buildings, Lands, Tenements,

Lands and Buildings already purchased or taken in the Name of any Secretary of the Commissioners to vest in the Secretary for the Time being.

and Hereditaments, and the several Estate and Interest of and in the same respectively, in trust for His Majesty, His Heirs and Successors, for the Use and Service of the Revenue of Excise.

The Secretary, under the Authority of the Commissioners, may sell or let Lands vested in him as herein mentioned.

CXXIV. And be it further enacted, That it shall be lawful for the Secretary for the Time being of His Majesty's Commissioners of Excise in *England*, by and under the Authority and Direction of such Commissioners (testified by Writing under their Hands and Seals, or the Hands and Seals of any Two or more of them), to sell, exchange, or in any Manner dispose of, or to let, set, or demise, either by public Auction or private Contract, the Freehold and Leasehold Messuages, Buildings, Lands, Tenements, and Hereditaments respectively, which shall for the Time being be vested in such Secretary as aforesaid, under and by virtue of this Act, with their respective Appurtenances, to any Body or Bodies Corporate, or any Person or Persons who may be willing to purchase or take the same; and it shall be lawful for such Secretary, under such Authority and Direction as aforesaid, for that Purpose to make and execute all such Conveyances, Assurances, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to any such Messuages, Buildings, Lands, Tenements, or Hereditaments, as shall by the said Commissioners be deemed beneficial for the Revenue of Excise, or for the better Management thereof, and which might be done by any Person or Persons having a like Interest in any such Messuages, Buildings, Lands, Tenements, or Hereditaments.

The Money produced by the Sale of any such Lands to be paid to Receiver General of Excise.

CXXV. And be it further enacted, That the Money arising and produced by the Sale or Exchange of any of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, which under the Provisions of this Act shall be paid by the respective Purchaser or Purchasers thereof, or the Body or Bodies Corporate, or Person or Persons making such Exchange, shall be paid unto the Receiver General of Excise, or to such Person or Persons as the said Commissioners of Excise, or any Two or more of them, shall direct or appoint to receive the same, in trust for His Majesty, His Heirs and Successors; which Money shall be accounted for by the Commissioners of Excise as Part of the Revenue of Excise; and the Receipt of the said Receiver General, or of such other Person or Persons as aforesaid, for such Money (which Receipt shall be indorsed on the Conveyance or Assignment of the said Messuages, Buildings, Lands, Tenements, and Hereditaments), shall be a complete Discharge to the Purchaser or Purchasers, or Body or Bodies Corporate, or Person or Persons by whom or on whose Account such Money shall have been paid.

Purchasers of such Lands, &c. shall stand possessed thereof, discharged of all prior Claims thereon in Right of His Majesty.

CXXVI. And be it further enacted, That from and immediately after the Payment of such Purchase Money as aforesaid, and the Execution of every such Conveyance and Assignment as aforesaid, the Purchaser or Purchasers, or Body or Bodies Corporate, or Person or Persons making such Exchange as aforesaid therein named, shall be deemed and adjudged to stand seized and possessed of the Messuages, Buildings, Lands, Tenements, and Hereditaments which shall be so purchased by, and conveyed, assigned, or made over to such Purchaser or Purchasers, or Body or Bodies Corporate, or Person or Persons making such Exchange

Exchange as aforesaid respectively, freed and absolutely discharged of and from all Manner of prior Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, and Demands whatsoever, which can or may be had, made, set up, in, to, out of, or upon or in respect of the same Messuages, Buildings, Lands, Tenements, and Hereditaments, by any Person or Persons whomsoever, by, from, or under or in trust for His Majesty, His Heirs and Successors, on any Account whatsoever, save and except such Estates, Leases, Rights, Titles, Interests, Charges, Incumbrances, Claims, and Demands, if any, as in any such Conveyance or Assignment shall be specially excepted.

CXXVII. And be it further enacted, That from and after the Commencement of this Act, all Laws, Powers, Authorities, Rules, Regulations, Restrictions, Exceptions, Provisions, Clauses, Matters, and Things, provided for or contained in any Act or Acts of Parliament in force at and immediately before the Commencement of this Act, relating to the Revenue of Excise in any Part of the United Kingdom, or to any Matter or Thing, expressly provided for by this Act, which are repugnant to or inconsistent with the several Matters, Clauses, Provisions, and Regulations of this Act, or any of them, shall be and the same are hereby respectively repealed, and shall no longer be put in force or observed in any Part of the United Kingdom; save and except so far as the same repeal or repeals any former Act or Acts, or any Part or Parts of any former Act or Acts of Parliament; and save and except so far as the same, or any of them, relate or relates to the recovering, suing for, mitigating, levying, or paying any Duty, or any Arrear thereof, charged or chargeable, or any Penalty or Forfeiture incurred for any Offence against any Act or Acts of Parliament relating to the Revenue of Excise, which shall have been or shall be committed, and for the Recovery of which Duty or Arrear thereof, Penalty or Forfeiture, Proceeding shall have been commenced before and shall be depending at the Time of the Commencement of this Act; and save and except also as to any Duty or Arrear thereof charged or chargeable, and Penalty or Forfeiture which shall have been incurred, under or by virtue of any Act or Acts of Parliament relating to the Revenue of Excise, by this Act repealed as aforesaid, for which no Proceedings for the Recovery thereof shall have been commenced before, and shall be depending at the Commencement of this Act.

CXXVIII. Provided always, and be it enacted, That all Sub-Commissioners and Commissioners of Appeal in *Ireland*, who at any Time before the Commencement of this Act shall have been appointed under the Laws relating to the Revenue of Excise in *Ireland*, shall respectively continue to execute and perform the several Duties of their respective Offices until all Proceedings which shall have been or shall be begun before and be depending at the Commencement of this Act before them judicially shall be completed or ended; and that it shall be lawful for such several Sub-Commissioners and Commissioners of Appeal respectively in *Ireland*, and they are hereby respectively authorized and required to continue to act in the Performance of their several judicial Duties pursuant to the Laws in force at and immediately before

Former Regulations which are inconsistent with this Act, declared to be repealed.

Sub-Commissioners and Commissioners of Appeal in *Ireland* continued to complete depending Proceedings.

All Duties and Penalties shall, after the Commencement of this Act, be recovered as directed by this Act.

Commencement of this Act.

Act may be altered this Session.

the passing of this Act, for the Purpose of and until all such Proceedings shall be completed or ended; and that nothing in this Act shall extend or be deemed or construed to extend to repeal, annul, or make void any Law or Part of any Law, or any Act or Acts of Parliament, or any Part thereof, relating to such Proceedings, or any of them, or any Part thereof, until all such Proceedings shall be completed and ended: Provided always, that all Penalties and Forfeitures which shall have been or shall be incurred under or by virtue of any Act or Acts of Parliament relating to the Revenue of Excise before the Commencement of this Act, for the Recovery of which no Proceedings shall have been commenced before and be depending at the Commencement of this Act, and all Penalties and Forfeitures which shall be incurred under or by virtue of this Act, or any other Act or Acts of Parliament relating to the Revenue of Excise after the Commencement of this Act, shall be recovered and applied in such Manner and by such Form or Forms and Ways of Proceeding as are by this Act directed and provided; any thing in any Act or Acts of Parliament to the contrary thereof notwithstanding.

CXXIX. And be it further enacted, That this Act shall commence and take effect from and immediately after the Fifth Day of *January* One thousand eight hundred and twenty eight.

CXXX. And be it further enacted, That this Act or any of the Provisions thereof may be amended, altered, or repealed by any Act or Acts to be passed in this Session of Parliament.

C A P. LIV.

An Act to carry into Effect the Treaty with *Sweden* relative to the Slave Trade. [2d *July* 1827.]

Treaty, dated 6th Nov. 1824.

WHEREAS a Treaty was made between His Majesty and the King of *Sweden* and *Norway*, for preventing their Subjects from engaging in any Traffic in Slaves, and signed at *Stockholm* on the Sixth Day of *November* One thousand eight hundred and twenty four: And Whereas by the First Article of the said Treaty, wherein it is recited that the Laws of *Sweden* and *Norway*, from the remotest Time, never have recognized the Existence of Slavery under any Form whatever; and that the Laws of the United Kingdom of *Great Britain* and *Ireland* prohibit to the Subjects of His *Britannic* Majesty, under the severest Penalties, any Participation whatever in a Commerce degrading to Humanity and unworthy of a civilized Age; His Majesty the King of *Sweden* and *Norway* engages himself, in consequence, to reiterate within the Space of Six Months after the Ratification of the said Treaty, or sooner if possible, to all His Subjects, in the most explicit Manner, the Prohibition then already existing, that they should take any Part in the Traffic of Slaves; and by the said First Article, in order to render more effective the Measures to which His Majesty the King of *Sweden* and *Norway* pledges himself by the said Treaty for the Suppression of the said Traffic, and with a View of assimilating them more nearly to those already adopted by *Great Britain*, His said Majesty engages to add to them as soon as possible, with the Concurrence of the States General of

the

' the Kingdom of Sweden, and of the Storthing of the Kingdom
 ' of Norway, penal Laws according to the Spirit of the Legis-
 ' lation of each of the said Countries, which Laws shall visit with
 ' a Punishment proportionate to the Magnitude of the Crime,
 ' any Participation whatever by *Swedish* or *Norwegian* Subjects
 ' in the Slave Trade; and in the meantime and until these sub-
 ' sequent Arrangements could be put in force, the Tenor of the
 ' Royal Ordinance of the Seventh Day of *February* One thousand
 ' eight hundred and twenty three, of which a Copy is annexed
 ' to the said Treaty, marked with the Letter A., is formally main-
 ' tained and confirmed by the said First Article: And Whereas
 ' by the Second Article of the said Treaty, in order more com-
 ' pletely to prevent all Infringement of the Spirit of the said
 ' First Article, His Majesty and His Majesty the King of *Sweden*
 ' and *Norway* do declare, that the Vessels belonging to their re-
 ' spective Subjects, which contrary to all Expectation may be
 ' found employed in the said forbidden Traffic, shall by that Act
 ' lose all Right to claim the Protection of their Flag; and His
 ' Majesty and His Majesty the King of *Sweden* and *Norway* mu-
 ' tually consent, that the Ships of their royal Navies, which shall
 ' be provided with special Instructions for this Purpose as therein-
 ' after mentioned, shall visit such Merchant Vessels of the Two
 ' Nations as may be suspected on reasonable Grounds of being
 ' concerned in the Traffic of Slaves contrary to the Provisions of
 ' the said Treaty, and in case thereof, may detain and bring
 ' away such Vessels, in order that they may be brought to Trial
 ' in the Manner stipulated in the Fourth Article of the said
 ' Treaty: And Whereas by the Third Article of the said Treaty,
 ' in order to explain the Mode of Execution of the preceding
 ' Article, it is agreed, First, that such reciprocal Right of Visit
 ' and Detention shall not be exercised within the *Mediterranean*
 ' Sea, nor within the *European* Seas lying without the Straits
 ' of *Gibraltar*, to the Northward of the Thirty seventh Degree
 ' of North Latitude, and within and to the Eastward of the
 ' Meridian of *Ferro*; Secondly, that all Ships of the Royal
 ' Navies of the Two Nations, which shall be thereafter employed
 ' to prevent the Traffic in Slaves, shall be furnished by their re-
 ' spective Governments with a Copy in the *English*, *Swedish*,
 ' and *Norwegian* Languages of the Instructions annexed to the
 ' said Treaty, and which Instructions shall be considered as an
 ' integral Part thereof, provided that they shall not be altered or
 ' modified but with the common Consent of His Majesty and of
 ' His Majesty the King of *Sweden* and *Norway*; Thirdly, that the
 ' Names of the several Vessels furnished with such Instructions,
 ' the Force of each, and the Names of their several Commanders,
 ' shall be from time to time communicated forthwith by the
 ' Power issuing the same to the other High Contracting Party;
 ' Fourthly, that the Ships of each of the Royal Navies authorized
 ' to make such Visit as aforesaid shall not exceed the Number of
 ' Twelve belonging to either of the High Contracting Parties,
 ' without the previous Consent of the other High Contracting
 ' Party; Fifthly, that the Right of Visit, such as thus recipro-
 ' cally agreed on by His Majesty and His Majesty the King of
 ' *Sweden* and *Norway*, shall not be directly exercised upon Mer-

' chant Vessels sailing under the Convoy of one or more Ships
 ' of War of either His Majesty or His Majesty the King of *Sweden*
 ' and *Norway*; but that if, contrary to all Expectation, the Com-
 ' mander of a Ship of War of either of the Two Governments
 ' employed in the Suppression of the Slave Trade, should have
 ' reasonable Grounds for suspecting that a Ship under Convoy of
 ' the other Government should in fact have on board Slaves des-
 ' tined for Sale, or be otherwise engaged in the Traffic of Slaves
 ' contrary to the Provisions of the said Treaty, the Commander
 ' of such Ship of War as aforesaid shall address himself to the
 ' Commander of the Convoy, in order to communicate his Suspi-
 ' cions, and the latter shall then proceed to visit the suspected
 ' Ship, accompanied by either the Commander of the Cruiser him-
 ' self, or any Officer whom the latter may delegate as his Repre-
 ' sentative; and it is agreed that the Commander of the Convoy
 ' shall afford all the Aid and Assistance possible to the Visit of
 ' the suspected Ships, and to their eventual Detention, according
 ' to the Spirit and true Sense of the said Treaty: And Whereas
 ' it is by the Fourth Article of the said Treaty agreed, in order to
 ' bring to Adjudication, with the least Delay and Inconvenience,
 ' the Ships of the Two Nations which may be detained for being
 ' engaged in a Traffic of Slaves, contrary to the Provisions of the
 ' said Treaty, that mixed Courts of Justice shall be formed, of an
 ' equal Number of Individuals to be named for this Purpose by
 ' their respective Sovereigns, and that One of the said Courts
 ' shall be established in One of the Possessions of His *Britannic*
 ' Majesty on the Coast of *Africa*, which shall be named at the
 ' Exchange of the Ratification of the said Treaty, and the other
 ' in the Island of *Saint Bartholomew* in the *West Indies*, belonging
 ' to His Majesty the King of *Sweden* and *Norway*, each of their
 ' said Majesties reserving to himself the Right of changing at
 ' his Pleasure the Place of Residence of the Court within his
 ' Dominions; and it is also thereby provided, that in the Event
 ' of the Absence, on account of Illness or any other unavoid-
 ' able Cause, of One or more of the Commissioners, Judges, or
 ' Arbiters under the said Treaty, or in case of their Absence on
 ' Leave from their Government, duly notified to the Board of
 ' Commissioners sitting under the said Treaty, their Posts shall
 ' be supplied in the same Manner in which, by the Ninth Article
 ' of the Regulations for the Mixed Commissioners, those Va-
 ' cancies are to be supplied which may occur by the Death of
 ' One or more of the Commissioners aforesaid; and it is thereby
 ' also agreed, that each Government shall name, to sit in each of
 ' these Courts, a Judge and an Arbiter, reserving, however, to
 ' itself, according to Circumstances and as it shall think proper,
 ' the Power either of naming for that Purpose permanent salaried
 ' Officers, or of eventually appointing duly qualified Individuals
 ' on the Spot, who shall, when the Case occurs, assemble in the
 ' Quality of Judges and Arbiters; and it is provided, never-
 ' theless, that after the Term fixed for the Meeting of the said
 ' Commissioners, their Proceedings in Examination and Adju-
 ' dication shall not be delayed by reason of the Absence of any
 ' Judge or Arbiter to be appointed under the Provisions of
 ' the said Treaty, but that the same shall be had and deter-
 ' mined

‘ mined by such Commissioners as shall or may be assembled, observing in all Things, as nearly as may be, the several Provisions of the said Treaty: And Whereas, by the Fifth Article of the said Treaty, His Majesty and His Majesty the King of Sweden and Norway each engage to make good to the Subjects of the other any Losses which their respective Cruisers may cause them to experience by the illegal or arbitrary Detention of their Vessels; and it is thereby declared to be understood, that the Visit and Detention shall not under any Pretext whatever be effected but by Ships which form a Part of the Two Royal Navies of their said Majesties, and which shall be provided with the special Instructions annexed to the said Treaty, and in pursuance to the Provisions thereof: And Whereas by the Sixth Article of the said Treaty it is agreed, that in case the Officers commanding Vessels employed for the Suppression of the Slave Trade shall deviate in any respect whatever from the Stipulations of the said Treaty, the Government which shall conceive itself to be wronged by such Conduct shall have the Right to demand Reparation, and in such Case the Government to which the said Commanding Officers shall belong binds itself to cause Enquiry to be made into the Subject of the Complaint, and to inflict, should such Complaint be grounded, Punishment proportioned to the Transgression which may have been committed: And Whereas by the Seventh Article of the said Treaty it is agreed, that in case of clear and undeniable Proof that during the immediate Voyage of a Vessel so visited as aforesaid, one or more Slaves shall, for the Purpose of Traffic, have been embarked on board of such Vessel, then and in such Case the Vessel in question shall be detained and brought to Trial in the Manner therein above mentioned in the Second Article of the said Treaty; and it is thereby further mutually agreed, that all Merchant Vessels which shall be found hovering or sailing near the Coasts of Africa, within One Degree to the Westward of the said Coasts, between the Twentieth Degree of North Latitude and the same Degree of South Latitude, or at anchor within any of the Rivers, Gulfs, or Creeks of these Coasts within the Limits herein above established, or at anchor in any Part within the said Limits, may be lawfully detained and brought before the established Tribunals, provided that in her Equipment there shall be found any of the Particulars thereafter mentioned; namely, First, that her Hatches are fitted with open Gratings instead of close Hatches, as usual in Merchants’ Vessels; Secondly, that there are more Divisions or Bulk Heads in her Hold, or on her Deck, than are necessary for Trading Vessels; Thirdly, that on board of her there is spare Plank either actually fitted in that Shape, or fit for readily laying a Second or moveable Deck, or Slave Deck; Fourthly, that on board of her there are Shackles, Bolts, and Handcuffs; Fifthly, that on board of her there is an unreasonable Quantity of Water in Casks or in Tanks, more than sufficient for the Consumption of her Crew as a Merchant Vessel; Sixthly, that on board of her there is an unreasonable Number of Water Casks or other Vessels for holding Water, unless the Master shall produce a Certificate from the Custom House from the Place from which he cleared

‘ Outwards, stating that a sufficient Security had been given by
 ‘ the Owners of such Vessel that such extra Quantity of Casks or
 ‘ other Vessels should only be used for the Reception of Palm
 ‘ Oil or other lawful Commerce; Seventhly, that on board of her
 ‘ there is a greater Quantity of Mess Tubs or Kinds than is re-
 ‘ quisite for the Use of the Crew as a Merchant Vessel; Eighthly,
 ‘ that on board of her there are Two or more Copper Boilers, or
 ‘ even that there is One of an unreasonable Size, larger than is
 ‘ requisite for the Use of her Crew as a Merchant Vessel; Ninthly,
 ‘ that on board of her there is an unreasonable Quantity of Rice
 ‘ or Farinha, Flour of the Mancoe of *Brazil* or *Cassada*, or Maize,
 ‘ or *Indian* Corn, beyond any probable requisite Provision for the
 ‘ Use of the Crew, and such Rice, Flour, Maize, or *Indian* Corn
 ‘ not being entered on the Manifest as Part of the Cargo for
 ‘ Trade; and it is further mutually agreed, that the Proof of these
 ‘ or of any one or more of these several Indications shall be
 ‘ considered as *prima facie* Evidence of her actual Employment
 ‘ in the Slave Trade, and unless rebutted by satisfactory Evidence
 ‘ upon the Part of the Master or Owners, that such Ship or Ves-
 ‘ sel was otherwise legally employed at the Time of her Deten-
 ‘ tion and Capture, the Ship or Vessel shall thereupon be con-
 ‘ demned and declared lawful Prize: And Whereas it is also in
 ‘ the Eighth Article of the said Treaty agreed, that the Acts or
 ‘ Instruments of which Mention is made in the said Treaty, and
 ‘ which being annexed thereto form an integral Part of it, are the
 ‘ following; the Proclamation of His Majesty the King of *Sweden*
 ‘ and *Norway*, which forbids anew to his Subjects the Slave
 ‘ Trade; an Extract of a Royal *Norwegian* Proclamation, dated
 ‘ the Sixteenth Day of *March* One thousand seven hundred and
 ‘ ninety two, Paragraphs the First and Sixth; Instructions for the
 ‘ Vessels of the Royal Navies of *Great Britain*, and of *Sweden*
 ‘ and *Norway*, employed in preventing the Slave Trade; and
 ‘ Regulation for the Mixed Courts of Justice: And Whereas the
 ‘ said Proclamation, to which the Words “ Annex A.” are pre-
 ‘ fixed, is as follows:

‘ *Proclamation.*

‘ WE, *Charles John*, by the Grace of God King of *Sweden* and
 ‘ *Norway*, and of the *Goths* and *Vandals*, do hereby make known,
 ‘ That desiring sincerely to maintain the Principles manifested
 ‘ by Our well-beloved Father His Majesty the King *Charles*
 ‘ the XIII., of glorious Memory, concerning the Slave Trade,
 ‘ which Principles perfectly coincide with Our own Sentiments,
 ‘ We have declared and do hereby declare —

‘ That any *Swedish* and *Norwegian* Ship, which against all Ex-
 ‘ pectation shall be found employed in the Slave Trade, shall be
 ‘ deemed in consequence of that Transgression to have lost all
 ‘ Right to our Protection, or to that of Our Functionaries

‘ That We shall learn with Satisfaction the Discovery and the
 ‘ Punishment of all Abuse of the *Swedish* and *Norwegian* Flag in
 ‘ a Traffic so odious; and that accordingly We have admitted,
 ‘ that every Ship bearing the *Swedish* or *Norwegian* Flag, which
 ‘ shall be found employed in the Slave Trade, shall be considered
 ‘ as if it did not bear the above-mentioned Flag.

‘ All

‘ All those whom it may concern shall regulate themselves according to the present.

‘ In Witness whereof We have signed it with Our own Hand, and have caused to be affixed thereunto Our Royal Seal.

‘ Done at the Castle of *Stockholm*, the Seventh Day of *February* 1823.

(L.s.) (Signed) *Charles John.*
(Countersigned) *Skogman.*

‘ And Whereas the said Extract of a Royal *Norwegian* Proclamation, to which the Words “Annex B.” are prefixed, is as follows:

‘ *Extract of a Royal Proclamation, dated the 16th of March 1792, Paragraphs 1st and 6th.*

‘ 1^o.—From the beginning of the Year 1803, all Traffic in Negroes, for the Subjects of the King, is to be abolished on the Coasts of *Africa*, and wherever it may be practised out of the Royal Possessions in the *West Indies*, so that after that Period no Negro nor Negress shall be bought, either on the Coast or elsewhere, on account of or by any of the Subjects of the King, nor be transported in Vessels belonging to Subjects of the King, nor be imported into the Possessions of the *West Indies* for Sale there; and that all Sale in Contravention of this Proclamation shall be regarded as illegal. * * * *

‘ 6^o.—The Exportation of Negroes and Negresses from the Islands of the *West Indies* is forbidden from this Day, very severely, and those are only excepted from the Effect of this Prohibition whom the Laws permit to go out of the Country, and those to whom the Governor General and the Regency in the *West India Islands*, may grant a similar Permission, according to Circumstances, and in particular Cases:

‘ And Whereas by the First Article of the said Instructions before referred to, and made an integral Part of the said Treaty, it is provided, First, that every Ship of the Royal Navies of the United Kingdom of *Great Britain* and *Ireland* or of *Sweden* and *Norway*, which, furnished with the said Instructions, shall, in conformity with the Second and Seventh Articles of the said Treaty, have a Right to visit the Merchant Ships of either of the Two Powers actually engaged or suspected to be engaged in the Slave Trade, may, except in the Seas exempted by the Third Article of the said Treaty, proceed to such Visit, and should any Slaves be found on board, brought there for the express Purpose of the Traffic, or that the Ship can in general be included in the Cases provided against in the said Second and Seventh Articles, the Commander of the said Ship of the Royal Navy may detain it, and having detained it, he is to bring it as soon as possible for Judgment to the Places stipulated by the Fourth Article of the said Treaty; and that Ships on board of which no Slaves shall be found intended for Purpose of Traffic, shall not be detained on any Account or Pretence whatever; and that Negro Servants or Sailors that may be found on board
‘ the

the said Vessels cannot in any Case be deemed a sufficient Cause for Detention: And Whereas by the Second Article of the said Instructions it is provided, that whenever a Ship of either of the Royal Navies, so commissioned, shall meet a Merchantman liable to be searched, it shall be done in the mildest Manner, and with every Attention which is due between allied and friendly Nations; and in no Case shall the Search be made by an Officer holding a Rank inferior to that of Lieutenant of the Navy: And Whereas by the Third Article of the said Instructions it is provided, that the Ships of either of the Royal Navies, so commissioned, which may detain any Merchant Ship in pursuance of the Tenor of the present Instructions, shall leave on board all the Cargo as well as the Master and a Part at least of the Crew of the above-mentioned Ship; and that the Captor shall draw up in Writing an authentic Declaration, which shall exhibit the State in which he found the detained Ship, and the Changes which may have taken place in it, and that he shall deliver to the Master of the detained Ship a signed Certificate of the Papers seized on board the said Vessel, as well as of the Number of Slaves found on board at the Moment of Detention, and that the Negroes shall not be disembarked till after the Vessels which contain them shall be arrived at the Place where the Legality of the Capture is to be tried; but that, however, if urgent Motives, deduced from the Length of the Voyage, the State of Health of the Negroes, or other Causes, require that they should be disembarked entirely, or in part, the Commander of the capturing Ship may take on himself the Responsibility of such Disembarkation, provided that the Necessity be stated in a Certificate in proper Form: And Whereas, by the First Article of the Regulations for the Mixed Courts of Justice, and which Regulations are annexed to the said Treaty, and form an integral Part thereof, it is provided, that the said Mixed Courts of Justice to be established by the said Treaty are appointed to decide upon the Legality of the Detention of such Vessels as the Cruizers of both Nations shall detain in pursuance of the said Treaty; and that the above-mentioned Courts shall judge definitively and without Appeal, according to the said Treaty; and that the Proceeding shall take place as summarily as possible; and the said Courts are required to decide (as far as they shall find it practicable) within the Space of Twenty Days, to be dated from that in which every detained Vessel shall have been brought into the Port where they shall reside, First, upon the Legality of the Capture; Secondly, in the Cases in which the captured Vessel shall have been liberated, as to the Indemnification which the said Vessel is to receive; and that in no Case shall the final Sentence be delayed on account of the Absence of Witnesses, or for Want of other Proofs, beyond the Period of Two Months, except upon the Application of any of the Parties interested, when, upon their giving satisfactory Security to charge themselves with the Expence and Risks of the Delay, the Courts may at their Discretion grant an additional Delay, not exceeding Four Months: And Whereas by the Second Article of the said Regulations it is provided, that each of the said Mixed Courts shall be composed in the following Manner;

that

that is to say, His Majesty and His Majesty the King of Sweden and Norway shall each of them name a Judge and an Arbitrer, who shall be authorized to hear and decide without Appeal all Cases of Capture of Vessels, which in pursuance of the Stipulations of the said Treaty shall be brought before them; and that all the essential Parts of the Proceedings carried on before the said Mixed Courts shall be written down either in *English* or in *Swedish* or *Norwegian*; and that the Judges and the Arbiters shall make Oath to judge fairly and faithfully, to have no Preference either for the Claimants or the Captors, and to act in all their Decisions in pursuance of the Stipulations of the said Treaty; and that there shall be attached to each Court when assembled a Secretary or Registrar, who shall register all its Acts, and who, previous to his taking Charge of his Post, shall make Oath before the Court to conduct himself with Respect for their Authority, and to act with Fidelity in all the Affairs which may belong to his Charge; and that in the Case contemplated by the Fourth Article of the said Treaty the permanent or temporary Salaries of the Members of the Mixed Courts shall be paid by their respective Sovereigns, those of the Secretary or Registrar of the Court to be established on the Coast of *Africa* shall be paid by His *Britannic* Majesty, and those of the Secretary of the Court to be established in the *West Indies* by His Majesty the King of *Sweden* and *Norway*: And Whereas, in regard to the incidental Expences of the said Courts, it is by the said Second Article of the said Regulation provided, that each Government shall defray the Half, and that the Expences carried to Account by the Officer charged with the Reception and Care of the detained Ships, as well as with the Execution of the Sentence (Marshal of the Court), and any other Disbursement occasioned by the bringing a Vessel to Judgment, shall be defrayed from the Funds arising from the Sale of the Vessel, in case of Condemnation, and by the Captor if the detained Vessel should be released: And Whereas by the Third Article of the said Regulations it is provided, that the Form of the Process shall be as follows; that is to say, the Judges of the Two Nations shall in the first Place proceed to the Examination of the Papers of the Vessel, and to receive the Depositions of the Captain, who, if he should so wish, shall be allowed to employ Counsel to conduct his Defence, and of Two or Three at least of the principal Individuals on board of the detained Vessel, as well as the Declaration on Oath of the Captor, should it appear necessary in order to be enabled to judge and to pronounce whether the said Vessel has been justly detained or not, according to the Stipulations of the said Treaty, and in order that according to the said Judgment it may be condemned or liberated; and in the Event of the Two Judges not agreeing in the Sentence they ought to pronounce, whether as to the Legality of the Detention or the Indemnification to be allowed, or any other Question which might result from the Stipulations of the said Treaty, they shall draw by Lot the Name of One of the Two Arbiters, who, after having considered the Documents of the Process, shall consult with the above-mentioned Judges on the Case in Question, and the final Sentence

tence shall be pronounced conformably to the Opinion of the Majority of the above-mentioned Judges and of the above-mentioned Arbiter : And Whereas by the Fourth Article of the said Regulations it is provided, that in the authenticated Declaration which the Captor shall make before the Court, as well as in the Certificate of the Papers seized, which shall be delivered to the Captain of the captured Vessel at the Time of Detention, the above-mentioned Captor shall be bound to declare his Name and the Name of his Vessel, as well as the Latitude and Longitude of the Place where the Detention shall have taken place, and the Number of Slaves found on board of the Ship at the Time of the Detention : And Whereas by a Fifth Article of the said Regulations it is provided, that as soon as Sentence shall have been pronounced which shall be duly founded, the detained Vessel, if liberated, and the Cargo in the State in which it shall then be found, shall be restored to the Master or the Person who represents him, who may before the same Court claim a Valuation of the Damages which they may have a Right to demand, and that the Captor himself, and in his Default his Government, shall remain responsible for the above-mentioned Damages : And whereas by the said Fifth Article of the said Regulations, His Majesty and His Majesty the King of Sweden and Norway bind themselves to pay within the Term of a Year from the Date of the Sentence the Costs and Damages which may be granted by the above-named Court, it being understood that such Costs and Damages shall be at the Expence of the Power of which the Captor shall be a Subject : And Whereas by the Sixth Article of the said Regulations it is provided, that in case of the Condemnation of a Vessel, she shall be declared lawful Prize, as well as her Cargo, of whatever Description it may be, with the Exception of the Slaves who may be on board as Objects of Commerce ; and that the said Vessel, as well as her Cargo, shall be sold by public Sale for the Profit of the Two Governments ; and as to the Slaves, they shall receive from the Mixed Courts a Certificate of Emancipation, and shall be delivered over to the Government to which the Captor belongs, to be employed as Servants or free Labourers ; and each of the Two Governments binds itself to guarantee the Liberty of such Portion of these Individuals as shall be respectively consigned to it : And Whereas it is thereby also provided, that the Expences for supporting the Slaves between the Time of their Capture and the Condemnation shall be levied on the Fund arising from the Sale of the condemned Vessel, but afterwards those Expences shall be charged to the Government of the Country which is to enjoy the Advantage of their Labour ; and that the Charges incurred for the Support and the Return of the Crew of the condemned Vessels shall be defrayed by the Government of which they are the Subjects : And Whereas by the Seventh Article of the said Regulations it is provided, that the Mixed Courts shall also take Cognizance and decide according to the Third Article of this Regulation, on all Claims for Compensation on account of Losses occasioned to Vessels detained under Suspicion of having been engaged in the Slave Trade, but which shall not have been condemned as legal Prize

by

‘ by the said Courts; and in all Cases wherein Restitution shall
 ‘ have been decreed, the Court shall award to the Claimant or
 ‘ Claimants, his or their lawful Attorney or Attornies, for his or
 ‘ their Use, a just and complete Indemnification for all Costs of
 ‘ Suit, and for all Losses and Damages which the Claimant or
 ‘ Claimants may have actually sustained by such Capture and
 ‘ Detention; that is to say,

‘ Firstly,— In case of Total Loss, the Claimant or Claimants
 ‘ shall be indemnified—

‘ (a.) For the Ship, her Tackle, Apparel, and Stores.

‘ (b.) For all Freight due and payable.

‘ (c.) For the Value of the Cargo of Merchandize, if any,
 ‘ deducting for all Charges and Expences payable
 ‘ upon the Sale of such Cargoes, including Com-
 ‘ mission of Sale.

‘ (d.) For all other Regular Charges, in such Cases of Total
 ‘ Loss. And,

‘ Secondly— In all other Cases, not of Total Loss, the Claimant
 ‘ or Claimants shall be indemnified—

‘ (a.) For all Special Damages and Expences occasioned to
 ‘ the Ship by the Detention, and for Loss of Freight,
 ‘ when due or payable.

‘ (b.) A Demurrage when due, according to the Schedule
 ‘ annexed to the present Article.

‘ (c.) For any Deterioration of Cargo.

‘ (d.) An Allowance of Five *per Cent.* on the Amount of the
 ‘ Capital employed for the Purchase of Cargo, for
 ‘ the Period of Delay occasioned by the Detention;
 ‘ and,

‘ (e.) For all Premium of Insurance on additional Risks.

‘ And Whereas it is also thereby agreed, that the Claimant or
 ‘ Claimants shall in all Cases be entitled to Interest at the Rate
 ‘ of Five *per Centum per Annum* on the Sum awarded, until paid
 ‘ by the Government to which the capturing Ship belongs, the
 ‘ whole Amount of such Indemnification being calculated in the
 ‘ Money of the Country to which the captured Ship belongs, and
 ‘ to be liquidated at the Exchange current at the Time of the
 ‘ Award: And Whereas, in order to avoid as much as possible
 ‘ every Species of Fraud in the Execution of the said Treaty, His
 ‘ Majesty and His Majesty the King of *Sweden* and *Norway* have,
 ‘ by the said Seventh Article of the said Regulations, also agreed,
 ‘ that if it should be proved in a Manner evident to the Convic-
 ‘ tion of the Judges of the Two Nations, and without having
 ‘ Recourse to the Decision of an Arbiter, that the Captor had
 ‘ been led into Error by a voluntary and reprehensible Fault on
 ‘ the Part of the Captain of the detained Ship, in that Case only
 ‘ the detained Ship shall not have the Right of receiving during
 ‘ the Days of her Detention the Demurrage stipulated by the
 ‘ said Article: And Whereas to the said Seventh Article of the
 ‘ said Regulation is affixed the following, being

‘ A SCHEDULE of DEMURRAGE or Daily Allowance for a Vessel.

‘ 100 Tons to	-	120 inclusive	-	£ 5 per Diem,
121	-	150	-	6 per Diem,
				151 Tons

151 Tons to	-	170 inclusive	-	£ 8 per Diem,
171	-	200	-	10 per Diem,
201	-	220	-	11 per Diem,
221	-	250	-	12 per Diem,
251	-	270	-	14 per Diem,
271	-	300	-	15 per Diem,

and so on in Proportion: And Whereas it is by the Eighth Article of the said Regulations provided, that neither the Judges nor the Arbiters nor the Secretary of the Mixed Court shall be permitted to demand or receive, from any of the Parties concerned in the Sentences which they shall pronounce, any Emolument, under any Pretext whatsoever, for the Performance of the Duties which are imposed upon them by the said Regulations: And Whereas it is by the Ninth Article of the said Regulations agreed by His Majesty and His Majesty the King of Sweden and Norway, that in the Event of the Death, Sickness, Absence on Leave, or any other legal Impeachment of One or more of the Judges or Arbiters composing the Mixed Courts mentioned in the Fourth Article of the said Treaty, the remaining Individuals shall proceed, without Interruption, to the Judgment of the Ships that may be brought before them, and to the Execution of their Sentence: And Whereas by the Ninth Article it is agreed, that the said Treaty shall be ratified, and the Ratification thereof exchanged within Six Weeks from the Day of Signature, or sooner if possible, and the same has been done accordingly: And Whereas it is expedient and necessary that effectual Provision should be made for carrying into Execution the Provisions of the said Treaty; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for any Officers commanding any Ship of War of His Majesty duly authorized in that Behalf, and provided with Instructions according to the Provisions of the said Treaty, to visit and detain in any Seas, except in the Seas exempted in the Third Article of the said Treaty, all Ships and Vessels belonging wholly or in Part to any Subject or Subjects of His Majesty the King of Sweden and Norway, which shall be suspected, upon reasonable Grounds, of being concerned in the Traffic of Slaves contrary to the Provisions of the said Treaty before recited, and to detain and bring to Adjudication all Ships, Vessels, and Cargoes by the said Treaty made subject to Detention and Condemnation, according to the Provisions of the said Treaty, and the Instructions and Regulations aforesaid.

Ships of War duly authorized may seize Swedish Vessels acting contrary to the said Treaty, except in certain Seas.

British Vessels trading in Slaves subject to Seizure by British or Swedish Vessels, and to Condemnation by the Judges appointed according to the Treaty.

II. And be it further enacted, That all Ships and Vessels, belonging wholly or in part to any Subject or Subjects of His Majesty, which shall be suspected, upon reasonable Grounds, of being concerned in the Traffic of Slaves contrary to the Provisions of the said Treaty, shall be and are hereby declared and made, according to the said Treaty, Instructions, and Regulations aforesaid, subject to the Visitations of British or Swedish Vessels of War, duly authorized for that Purpose according to the Provisions of the said Treaty before recited; and that all Ships and Vessels, belonging wholly or in part to any Subject or Subjects of His Majesty,

Majesty, which shall be found being concerned in the Traffic of Slaves, contrary to the Provisions of the said Treaty, Instructions, and Regulations so recited as aforesaid, and all Boats, Apparel, Furniture, and Stores belonging to such Ships or Vessels, and all Slaves and Cargoes therein, shall be and are hereby declared to be and made subject to the Visit and Detention of *British* and *Swedish* Vessels of War, duly authorized for that Purpose according to the Stipulations of the said Treaty, and to Forfeiture according to the Provisions of the said Treaty, and the Instructions and Regulations thereto annexed, and for that Purpose shall be and are hereby made subject to the Adjudication of, and to Condemnation or other Judgment by the Judges and Arbiters to be appointed according to the Provisions of the said Treaty, and to the Instructions and Regulations annexed thereto and recited as aforesaid.

III. And be it further enacted, That it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State, to appoint such Judges and Arbiters as are in and by the said Treaty, and the Regulations thereto annexed, mentioned to be appointed by His Majesty, and from time to time to supply any Vacancies which may arise in such Offices, by appointing other Persons thereto; and to grant to such Judges and Arbiters as aforesaid Salaries, not exceeding such Annual Sums as His Majesty shall from time to time direct; and such Judges and Arbiters are hereby authorized and empowered to examine and decide all such Cases of Detention, Captures, and Seizures of Vessels and their Cargoes as aforesaid, detained, seized, taken, or captured under the said Treaty, Instructions, and Regulations as are by the said Treaty, Instructions, and Regulations, and by this Act, made subject to their Jurisdiction; and to proceed therein, and give such Judgments, and make such Orders therein, and to do all other Acts, Matters, and Things appertaining thereto, agreeable to the Provisions of the said Treaty, and the Instructions and Regulations annexed thereto, and recited as aforesaid, as fully and effectually to all Intents and Purposes as if special Powers and Authorities for that Purpose were specifically and particularly inserted and given in relation thereto in this Act.

For appointing
British Judges
and Arbiters
according to
the Treaty.

Salaries.

IV. And be it further enacted, That it shall be lawful for His Majesty, by any Warrant under His Royal Sign Manual, countersigned by One of His Majesty's Principal Secretaries of State for the Time being, to nominate and appoint a Secretary or Registrar to the Court which shall be established in His Majesty's Dominions, and from time to time to supply, by other Appointments, any Vacancy which may thereafter occur in such Office, and to grant a Salary to such Secretary or Registrar not exceeding such Annual Sum as His Majesty shall from time to time direct; and such Secretary or Registrar is hereby respectively authorized and empowered to do, perform, and execute all the Duties of such Office as set forth and described in the said Treaty, Instructions, and Regulations respectively hereinbefore recited as aforesaid, and to do, perform, and execute all such Acts, Matters, and Things, as may be necessary for the due Discharge of the Duties of

Appointment
of Secretary or
Registrar.

Filling up Vacancies *ad interim*

of his Office, according to the Provisions of the said Treaty and Instructions and Regulations as aforesaid.

V. And be it further enacted, That it shall be lawful for the Governor or Lieutenant Governor, or Principal Magistrate of the Colony or Settlement in which such Court shall sit, within the Possession of His *Britannic* Majesty, to fill up every Vacancy which shall arise in such Court, either of Judge, Arbiter, or any Officer thereof appointed by His Majesty as aforesaid, according to the Provisions contained in the before-recited Regulations annexed to the said Treaty as aforesaid, *ad interim*, until such Vacancy or Vacancies shall be thereafter filled by some Person or Persons appointed by His Majesty for that Purpose.

Judges and Arbiters to be sworn.

VI. And be it further enacted, That every Judge and Arbiter appointed by His Majesty, or *ad interim* as aforesaid, shall, before he shall enter upon the Execution of any of the Duties of such his Office, take an Oath in the Presence of the Principal Magistrate then residing and acting in the Colony, Settlement, or Place in which the Court shall be appointed to reside; which Oath every Magistrate in any Colony, Settlement, or Place belonging to His Majesty, in which such Court shall be appointed, is hereby authorized to administer in the Form following; (that is to say),

‘ I *A. B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office as faithfully, impartially, fairly, and without Preference or Favour, either for Claimants or Captors, or any other Person; and that I will, to the best of my Judgment and Power, act in pursuance of and according to the Stipulations, Regulations, and Instructions contained in the Treaty between His Majesty and His Majesty the King of *Sweden* and *Norway*, signed at *Stockholm* on the Sixth Day of *November* in the Year of our Lord One thousand eight hundred and twenty-four. So help me GOD.’

Secretary or Registrar to be sworn.

And every Secretary or Registrar appointed by His Majesty, or *ad interim* as aforesaid, under the Provisions of the said Treaty, Instructions, and Regulations, and of this Act, shall, before he enters on the Duties of his said Office, take an Oath before the *British* Commissary Judge as aforesaid, who is hereby empowered to administer the same, in the Form following; (that is to say),

‘ I *A. B.* do solemnly swear, That I will, according to the best of my Skill and Knowledge, act in the Execution of my Office; and that I will conduct myself with due Respect to the Authority of the Judges and Arbiters of the Commission to which I am attached, and will act with Fidelity in all the Affairs which may belong to my Charge, and without Preference or Favour, either for Claimants or Captors, or any other Persons. So help me GOD.’

Oaths may be administered to Parties, &c. by the Court, &c.

VII. And be it further enacted, That it shall be lawful for the said Judges or either of them, or for any such Secretary or Registrar, and they are hereby respectively empowered, to administer Oaths, to take the Depositions of all Parties, Witnesses, and other Persons who may come or be brought before them to be examined, or for the Purpose of deposing in the Course of any Proceeding before

before the said Judges, or before the said Judges and Arbiter, in the Cases in which such Arbiter shall act with the said Judges under the said Treaty, Instructions, and Regulations, or this Act; and it shall also be lawful for the said Judges, or for the said Judges and Arbiter, in the Cases aforesaid, to summon before them all Persons whom they may deem it necessary or proper to examine in relation to any Suit, Proceeding, or Matter or Thing under their Cognizance, and to send for and issue Precepts for the producing of all such Papers as may relate to the Matters in question before them, and to enforce all such Summonses, Orders, and Precepts, by such and the like Means, Powers, and Authorities, as any Court of Vice Admiralty may do.

VIII. And be it further enacted, That every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition or Affidavit had or taken upon or in any Proceeding before the said Judges, or Judge and Arbiter, under the said Treaty, Instructions, and Regulations, or this Act, shall be deemed guilty of Perjury, and being thereof convicted, shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place in which the Offence was committed, or in any Colony or Settlement of His Majesty near thereto, in which there is a Court of competent Jurisdiction to try any such Offence, or in His Majesty's Court of King's Bench in *England*; and that in case of any Prosecution for such Offence in His Majesty's said Court of King's Bench, the Venue may be laid in the County of *Middlesex*.

Punishing Persons guilty of Perjury.

IX. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person to commence, prosecute, or proceed in any Claim, Action, or Suit whatever in the High Court of Admiralty, or in any other Court, or before any Judges or Persons whomsoever, other than the several Mixed Courts of Justice appointed under and by virtue of the said Treaty and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves, or for any Compensation or Indemnification, or for any Loss or Damage, or for any Injury sustained by such Ship, Cargo, or Slaves, or by any Persons on board any such Ship, in consequence of any Capture, Seizure, or Detention under the Authority or in pursuance of the Provisions of the said Treaty, or of the Instructions and Regulations thereto annexed, or of this Act; and that the Pendency of any Claim, Suit, or Proceeding instituted or which may be instituted before any of the said Mixed Courts so to be appointed under the Authority of the said Treaty and this Act, for the Condemnation or Restitution of any Ship or Cargo or Slaves taken, seized, or detained by virtue of the said Treaty, or of the Instructions and Regulations thereto annexed, or for any Compensation or Indemnification for any Loss or Damage in consequence of the taking, seizing, or detaining any such Ship, or the final Adjudication, Condemnation, Judgment, or Determination of any such Mixed Court, as the Case shall require, may be pleaded in Bar or given in Evidence under the General Issue; or in case no such Claim, Suit, or Proceeding shall have been instituted before any such Mixed Court, then

No Claims or Suits for Ships captured, &c. to be brought, except before Mixed Courts appointed pursuant to Treaty.

the said Treaty, Instructions, and Regulations, and this Act, may in like Manner be pleaded in Bar, or given in Evidence under the General Issue; and every such Plea in Bar, or Evidence so given under the General Issue, shall be deemed and adjudged to be a good and complete Bar to any such Claim, Action, Suit, or Proceeding in the said High Court of Admiralty, or in any Court or Place other than such Mixed Courts; any thing in any Act or Acts, or Law or Laws, to the contrary in anywise notwithstanding.

This Act not to affect any thing in any Act for Suppression of the Slave Trade.

X. And be it further enacted, That nothing in this Act contained shall be deemed or construed in anywise to alter, suspend, affect, relax, or repeal any of the Clauses, Penalties, Forfeitures, or Punishments contained and enacted in any Act or Acts made for the Suppression or Prevention of the Slave Trade; but that all such Acts, and all Clauses, Regulations, Penalties, Forfeitures, and Punishments therein respectively contained, shall remain in full Force and Virtue, any thing in this Act contained to the contrary notwithstanding.

General Issue may be pleaded.

XI. And be it further enacted, That if any Action or Suit shall be commenced, either in *Great Britain* or elsewhere, against any Person or Persons, for any thing done in pursuance of the said Treaty, or the Instructions or Regulations, thereto annexed, or of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Treaty, Instructions, or Regulations, or of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and have the like Remedy for the same as Defendants have in other Cases by Law.

C A P. LV.

An Act to consolidate the Boards of Stamps in *Great Britain* and *Ireland*.
[2d July 1827.]

56 G. 3. c. 98.

‘ WHEREAS by an Act passed in the Fifty-sixth Year of the
‘ Reign of His late Majesty King *George* the Third, intituled
‘ *An Act to unite and consolidate into One Fund all the Public*
‘ *Revenues of Great Britain and Ireland, and to provide for the*
‘ *Application thereof to the general Service of the United Kingdom,*
‘ the several Funds called the Consolidated Fund of *Great Britain*,
‘ and the Consolidated Fund of *Ireland*, respectively, were con-
‘ solidated, and made to constitute One general Fund, called
‘ ‘ The Consolidated Fund of the United Kingdom of *Great Bri-*
‘ *tain and Ireland* :’ And Whereas, for the promoting the Object
‘ of the said Act, an Act was passed in the Fourth Year of His
‘ present Majesty’s Reign, to consolidate the several Boards of
‘ Customs, and also the several Boards of Excise, of *Great Bri-*
‘ *tain and Ireland* : And Whereas, for further promoting the Ob-
‘ ject of the said first-mentioned Act, it is expedient that the
‘ several Duties now under the Management of the Commissioners
‘ of

4 G. 4. c. 23.

‘ of Stamps for *Great Britain* and *Ireland* respectively should be
 ‘ under the Management and Control of One Board of Commis-
 ‘ sioners; and that for that Purpose the Commissioners of Stamps
 ‘ in *Great Britain* should be by this Act constituted Commis-
 ‘ sioners of a Board of Stamps for the Management of the said
 ‘ Duties in the whole of the United Kingdom of *Great Britain* and
 ‘ *Ireland*;’ Be it therefore enacted by the King’s most Excellent
 Majesty, by and with the Advice and Consent of the Lords Spi-
 ritual and Temporal, and Commons, in this present Parliament
 assembled, and by the Authority of the same, That from and after
 the Fifth Day of *October*, One thousand eight hundred and twenty
 seven, the Persons respectively being on that Day Commissioners
 of Stamps for *Ireland* shall cease to be such Commissioners,
 and that all Powers and Authorities at that Time vested in them
 shall no longer be vested in or exercised by them; and that from
 and after the said Fifth Day of *October* the Persons respectively
 being on that Day Commissioners of Stamps for *Great Britain*
 shall, without any further Commission or other Authority than this
 Act, be and become Commissioners of Stamps for the United
 Kingdom of *Great Britain* and *Ireland*, for the Collection and
 Management of the Revenues respectively arising in and through-
 out the whole of the said United Kingdom from Stamps, or from
 any other Duties which by any Act or Acts shall on the said
 Fifth Day of *October* be under the Management of the Commis-
 sioners of Stamps in *Great Britain* and *Ireland* respectively;
 and that the said Duties shall thenceforth be collected by and
 paid to the said Commissioners of Stamps for the said United
 Kingdom, in the same Manner as such Duties shall theretofore
 have been collected by and paid to the Commissioners of Stamps
 for *Great Britain* and the Commissioners of Stamps for *Ireland*
 respectively.

From 5th Oct.
 1827, the
 Powers of the
 Commissioners
 of Stamps in
Ireland shall
 cease, and the
 Commissioners
 of Stamps in
Great Britain
 shall act for the
 United King-
 dom.

II. And be it further enacted, That it shall be lawful for His
 Majesty, His Heirs and Successors, from time to time, from and
 after the said Fifth Day of *October*, to appoint, under the Great
 Seal of the United Kingdom of *Great Britain* and *Ireland*, such
 Persons as he shall think fit to be Commissioners of Stamps for
 the said United Kingdom; and that as well the said Commis-
 sioners to be appointed by His Majesty, His Heirs and Suc-
 cessors, as aforesaid, as the said Commissioners by this Act con-
 stituted Commissioners of Stamps for the said United Kingdom,
 shall respectively be and remain Commissioners of Stamps during
 His Majesty’s Pleasure.

His Majesty to
 appoint such
 Persons as he
 thinks fit to be
 Commis-
 sioners.

III. Provided always, and be it enacted, That nothing in this
 Act contained shall extend or be construed to extend to repeal
 or alter any Act or Acts, or any Provision in any Act or Acts
 in force, relating or having reference to any Duties under the
 Management of the Commissioners of Stamps in *Great Britain*
 or *Ireland* respectively, at or immediately before the passing of
 this Act, except so far as such Act or Acts, or any Provisions
 therein, are expressly repealed or altered by this Act.

Nothing herein
 to repeal or
 alter any Act,
 except as herein
 authorized.

IV. And be it further enacted, That any Three or more of such
 Commissioners of Stamps shall constitute a Board of Commis-
 sioners of Stamps for the whole of the United Kingdom; and
 that such Board shall have, use, and exercise, throughout the

All Powers
 vested in Com-
 missioners
 generally may
 be executed by

any Three or more of them.

United Kingdom, all and every such Powers and Authorities as are now given to or vested in, or as might be used and exercised by the whole of such Commissioners of Stamps, or by any Number of them, under or by virtue of any Act or Acts in force at or immediately before the passing of this Act, in *Great Britain* or *Ireland* respectively; and all such Powers and Authorities shall be and are hereby given to and vested in such Board of Commissioners of Stamps for the United Kingdom for the Time being, as fully and effectually, to all Intents and Purposes whatsoever, as if such Powers and Authorities, and all Clauses, Regulations, Provisions, Penalties, and Forfeitures in any Act or Acts relating thereto respectively, were severally and respectively repeated and re-enacted in this Act, and made Part thereof; and all Rules, Orders, Regulations, Acts, Matters, and Things, which shall be made, directed, and done by such Board of Commissioners, in anywise concerning any Duties or Revenues under the Control and Management of the Commissioners of Stamps in *Great Britain* or *Ireland* respectively, or relating to the Collection or Management of such Duties and Revenues respectively, and which by any Act or Acts, Law, Usage, or Custom, in force at or immediately before the passing of this Act, are or were authorized or required to be made or done, or which might be made or done, by the Commissioners of Stamps in and for *Great Britain* or *Ireland* respectively, in relation to the said Duties or Revenues respectively, shall be and be deemed to be as good, valid, and effectual in the Law, to all Intents and Purposes, as if made or done under any such Act or Acts by the Commissioners heretofore separately acting for *Great Britain* or *Ireland* respectively, or any Number of them; and all Persons whosoever, in any and every Part of the United Kingdom, shall be subject and liable to the same Pains and Penalties for doing, or omitting to do, any Act, Matter, or Thing relating to or in anywise concerning any of such Duties or Revenues respectively, contrary to any Orders or Directions, Rules or Regulations, of such Commissioners of Stamps for the United Kingdom, as such Persons respectively would have been subject and liable to for doing, or omitting to do, the same Acts and Matters or Things respectively, contrary to any Order or Direction of the Commissioners of Stamps for *Great Britain* or *Ireland* respectively, by virtue of any Act or Acts in force at or immediately before the passing of this Act: Provided always, that in all Cases where by any Act or Acts in force in *Great Britain* and *Ireland* at or immediately before the passing of this Act, any Act, Matter, or Thing is expressly authorized or required to be done by any particular or described Number of Commissioners of Stamps less than Three, all such Acts, Matters, and Things being done by such lesser Number of Commissioners shall be good, valid, and effectual, to all Intents and Purposes: Provided also, that all Orders, Directions, Rules, and Regulations in force at the Time of the passing of this Act, which are not altered or varied by this Act, or contrary to any of the Provisions thereof, shall remain in full Force and Effect until the same shall be abrogated, annulled, altered, or varied by the Commissioners of Stamps for the United Kingdom under this Act.

Powers vested in any stated Number of Commissioners may be exercised by such Number.

All Orders, &c. in force at the passing of this Act to remain in force.

V. And,

V. And, for facilitating the Execution of the Powers hereby vested in the said Commissioners, be it further enacted, That it shall and may be lawful for the said Commissioners of Stamps for the United Kingdom, under the Authority in Writing of the Lord High Treasurer or the Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three of them, and subject to such Rules, Regulations, and Provisions as the said Lord High Treasurer or the Commissioners of the Treasury shall from time to time direct, to delegate to any Officer or Officers or other Person or Persons in *Ireland*, by any Writing under their Hands, all or any of the Powers and Authorities hereby vested in the said Commissioners of Stamps for the United Kingdom, for the Collection and Control of the said Revenue in *Ireland*, or in anywise relating thereto, and to authorize, direct, and empower every such Officer or Person to do and execute all and whatever they the said Commissioners, or any of them, might themselves do and execute in pursuance of this Act; and all Matters and Things whatever which shall be done by any such Officer or Person, in pursuance of such Delegation or Direction, shall be as effectual to all Intents as if the same had been done by the said Commissioners of Stamps for the United Kingdom.

Commissioners may direct their Powers to be executed by Deputy in *Ireland*.

VI. And be it further enacted, That if, in any Court whatever, upon any Indictment, Information, Trial, Proceeding, or Occasion whatever, and whoever shall be Parties therein, any Question shall arise concerning any Commissioner of Stamps, or concerning any Officer or Person acting or employed under the Authority of any Act relating to the Duties under the Management of the Commissioners of Stamps, or by or under the Authority or Orders of such Commissioners, or concerning the Right or Title of any such Commissioner, Officer, or Person respectively, to hold, exercise, enjoy, execute, or perform any such Office, Duty, or Employment, then and in every such Case it shall be sufficient to prove that any such Commissioner or Officer or Person respectively was reputed to be, and did act as, and did in fact execute the Office or Employment of such Commissioner, Officer, or Person respectively, at the respective Time or Times when the Matters in controversy shall happen to have been done or committed, or omitted or neglected to have been done or performed; and in every such Case such Proof shall be deemed and taken to be good and legal Evidence, without producing or proving the particular Patent, Appointment, Commission, Deputation, Authority, or Order whereby any such Commissioner, Officer, or other Person was constituted, appointed, or employed, and without any Evidence being given that such Commissioner, Officer, or other Person had performed or obtained the several Requisites or Authorities, or any of them, prescribed by Law, for the enabling or authorizing such Commissioner, Officer, or other Person respectively, to execute such Office, Duty, or Employment respectively, unless by other Evidence the contrary be made to appear; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Proof that Commissioners or Officers did act as such shall be sufficient, without producing Commission or Authority.

VII. And be it further enacted, That whenever, in any Proceeding by Action of Debt, Bill, Complaint, or Information in any of His Majesty's superior Courts of Record in any Part of the United Kingdom,

Averment of certain Proceedings relating to Stamps

shall be sufficient Evidence of the Fact that such Proceedings were taken.

Kingdom, or by Civil Bill in any Court of any Recorder, Chairman, or Assistant Barrister in *Ireland*, or by Information or Complaint before any Justice or Justices of the Peace in any Part of the United Kingdom, for the Recovery of any Stamp Duty or Duties, or Part of any Stamp Duty or Duties, remaining due and unpaid, or for the Recovery of any Fine, Penalty, or Forfeiture incurred under or by virtue of any Act or Acts in force relating to any Duties under the Management of the Commissioners of Stamps, any Statement, Allegation, or Averment shall be made, that any Act, Matter, or Thing had been or was done, or that any Proceeding had been or was taken, or that any Licence, Warrant, Instrument, or Authority was granted or signed, or that any Notice was signed by the Commissioners of Stamps, or by any subordinate Officer of Stamps, or by any Person or Persons, under and in pursuance of any Act or Acts in anywise relating to any Duties under the Management of the Commissioners of Stamps, or that any Act, Matter, or Thing had been or was done, or that any Proceeding whatsoever had been or was taken, by any such subordinate Officer of Stamps, or by any other Person or Persons, under and in obedience to the Orders and Directions of the Commissioners of Stamps, or that any Proceeding for the Recovery of any Penalty or Forfeiture was commenced, prosecuted, entered, or filed by or by the Order of any Officer or Person thereto authorized by Law, every and any such Statement, Allegation, or Averment shall be and shall be deemed and taken to be sufficient Evidence of any and every Fact so stated, alleged, and averred, without any other or further Evidence of any such Fact, unless by other Evidence the contrary shall be made to appear; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

All Commissions, Deputations, Appointments, and Securities, to remain in force.

VIII. And be it further enacted, That all Commissions, Deputations, and Appointments granted to any Officers of the Commissioners of Stamps in *Great Britain* or *Ireland* respectively, at any Time before the passing of this Act, and in force at the Time of the passing of this Act, shall remain in full Force and Effect until the same shall be revoked or recalled; and all such Officers respectively shall continue to hold such respective Commissions, Deputations, and Appointments; and all such Commissions, Deputations, and Appointments shall be deemed, construed, and taken to be good, valid, and effectual, and as if the Persons holding the same had been appointed by the said Commissioners of Stamps for the United Kingdom; and the Persons holding the same shall have full Power and Authority to execute the Duties of their respective Offices and Appointments, and to enforce all Laws, Regulations, Penalties, and Forfeitures relating to the Duties and Revenues for which they shall have been appointed, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said Commissioners of Stamps for the United Kingdom; and all Bonds and Securities to His Majesty, His Heirs and Successors, or to the Commissioners of Stamps in *Great Britain* or *Ireland* respectively, or any Officer or Person in their Employ, which shall have been given by any Officer of Stamps, or by any other Person or Persons, and their Sureties respectively, for the securing the Payment of any Duties under the Manage-

Management of the Commissioners of Stamps in Great Britain or Ireland respectively, or for the due accounting for such Duties, or for the good Conduct of any such Officer or Person, or for any other Purpose whatever, relating to the said Duties or any of them, shall remain in full Force and Effect until the Conditions of such Bonds or Securities shall have been duly performed and fulfilled, as if the same had been given to the said Commissioners of Stamps for the United Kingdom; and all Officers of Stamps shall hold their respective Offices during the Will and Pleasure of the Commissioners of Stamps for the United Kingdom, in all Cases in which they before held such Offices subject to the Will and Pleasure of the existing Boards of Stamps in Great Britain and Ireland respectively; and all such Officers shall be under the Control and Authority of the Commissioners of Stamps for the United Kingdom, and shall be liable to the same Pains, Penalties, and Punishments, to be inflicted by the said Commissioners of Stamps for the United Kingdom, as might heretofore have been inflicted upon them by the Commissioners by whom they were originally appointed.

IX. Provided always, and be it enacted, That nothing in this Act contained shall in anywise extend or be construed to extend to invalidate or in any way to affect any Bonds, Covenants, Deeds, or Engagements, which any Commissioners, or Secretary or Secretaries, or other Officer or Officers of the respective Boards of Stamps in Great Britain or Ireland, may have entered into or been concerned in on behalf of His Majesty, His Heirs or Successors, relating to the Revenues under the Management of the Commissioners of Stamps, at any Time before the passing of this Act, but that all such Bonds, Covenants, Deeds, and Engagements shall remain in full Force and Effect; and such Commissioners for the United Kingdom, and their Secretaries or Officers, may sue and be sued as the Commissioners of Stamps for Great Britain or Ireland respectively for the Time being might have been if this Act had not been made.

Act not to affect Covenants made by Commissioners, Secretaries, &c. of Boards, on behalf of the Crown.

X. And be it further enacted, That all Commissioners of Stamps for the United Kingdom shall in all respects be subject to the like Liabilities, Restraints, Duties, Obligations, and Disabilities respectively, to which Commissioners of Stamps respectively in Great Britain or Ireland respectively are by Law respectively subject at the Time of the passing of this Act, and to the Orders and Control of the said Lord High Treasurer or of the Commissioners of the Treasury, and shall be subject and liable to all such Penalties, Forfeitures, and Punishments as Commissioners of Stamps respectively for Great Britain or Ireland respectively are or would be subject or liable to under or by virtue of any Act or Acts, or of any Law, Usage, or Custom in force at or immediately before the passing of this Act.

Commissioners to be under Control of the Treasury, and to be subject to Penalties as heretofore.

C A P. LVI.

An Act to amend the Laws relating to the Customs.

[2d July 1827.]

WHEREAS several Acts were passed in the Sixth Year of the Reign of His present Majesty, for consolidating the

D d 4

Laws

Act to com-
mence 6th July
1827.

Regulation.

6 G. 4. c. 107.
Demand for
Delivery of
Goods from
Warehouse to
be deemed a
Delivery.

Prohibition of
Beef and Pork
salted, and of
Cattle from the
Isle of Man,
repealed.

Smuggling.

6 G. 4. c. 108.
Smugglers pro-
secuted as
Seamen, and
proving not fit
for Naval Ser-
vice.

Spirits or To-
bacco, remov-
ing without a
Permit, to be
deemed un-
shipped

' Laws of the Customs, and it has been found necessary to make certain Alterations and Amendments therein;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of July One thousand eight hundred and twenty seven, the several Enactments hereinafter contained shall come into and be and continue in full Force and Operation for all the Purposes mentioned therein.

' II. And Whereas by One of the said Acts, intituled *An Act for the General Regulation of the Customs*, it is enacted, that no Entry nor any Warrant for the taking of any Goods out of any Warehouse, shall be valid, unless made in Manner therein directed; and that any Goods taken or delivered out of any Warehouse by virtue of any Entry not so made shall be deemed to be Goods taken without due Entry thereof; and Doubts have arisen whether such Goods can be deemed to be taken or delivered until they be actually removed away from the Warehouse, and out of the Custody of the Officers of the Customs; be it therefore enacted, That when Demand shall have been made for the Delivery or for any Order for the Delivery of any Goods in virtue of any such Entry, such Goods shall be deemed to have been taken and delivered within the Meaning of the said Act.

III. And be it further enacted, That so much of the said last-mentioned Act as prohibits the Importation of Beef or Pork salted, not being Beef or Pork commonly called Corned Beef or Pork, and also so much of the said Act as prohibits the Importation of Cattle, Sheep, Swine, Beef, Lamb, Mutton, or Pork, from the *Isle of Man*, being the Produce of that Island, shall be and the same is hereby repealed.

' IV. And Whereas another Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the Prevention of Smuggling*; and it is expedient to alter and amend the same in Manner hereinafter provided; Be it therefore enacted, That if any Person shall be proceeded against under the said last in part recited Act, or this or any other Act now in force or hereafter to be made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, and the Information exhibited against such Person shall charge him as being a Seaman, and fit and able to serve His Majesty in His Naval Service, and it shall appear to the Justices before whom such Person is brought, that he is guilty of the Offence with which he is charged, but that he is not fit for His Majesty's Naval Service, that then and in such Case it shall be lawful for such Justices, and they are hereby required to amend such Information accordingly, and to convict such Person in the Penalty of One hundred Pounds, as if proceeded against as not being a Seaman or fit for His Majesty's Naval Service.

V. And be it further enacted, That all Spirits or Tobacco which shall be found being removed or carried without a legal Permit for the same, shall be deemed to be Spirits or Tobacco respectively unshipped without Payment of Duty, unless the Party

in whose Possession the same shall be found or seized shall prove to the contrary.

VI. And be it further enacted and declared, That in all Cases where any Penalty, the Amount of which is at any Time to be determined by the Value of any Goods, is directed to be sued for under any Law now in force or hereafter to be made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, such Value shall be deemed and taken to be according to the Rate and Price which Goods of the like Sort or Denomination, and of the best Quality, bear at such Time in *London*, and upon which the Duties due upon Importation have been paid.

VII. And be it further enacted, That in all Cases where any Information is exhibited for any Offence against the said last-mentioned Act, or this or any other Act now in force or hereafter to be made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, such Information may be received by One Justice of the Peace, and such Justice may issue a Summons for the Appearance of the Party against whom such Information is exhibited before any Two Justices of the Peace; and after the Hearing and Conviction before any Two Justices of the Peace, any One of the said Justices, or any other Justice of the Peace, may issue his Warrant to enforce the Conviction, and such Warrant shall and may be executed in any County in *England*; and where, in default of Payment of the Penalty sought for, the Imprisonment of the Party takes place for the Space of Six Months, such Time of Imprisonment shall be reckoned from the Time of the Commencement of such Imprisonment.

VIII. And be it further enacted, That where any Information shall be exhibited before a Justice or Justices of the Peace, for any Fine, Penalty, or Forfeiture under any Act now in force or hereafter to be made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, and it is necessary to summon the Party against whom such Information is exhibited, it shall be deemed a good and sufficient Service of such Summons if the same be left at the House or usual Place of Residence of the said Party, and directed to such Party.

IX. And Whereas, by the said Act for the Prevention of Smuggling, Foreign Vessels laden with Spirits in Casks of less Content than Forty Gallons, or with certain other Goods, in which there shall be a certain Proportion of *British* Subjects, are liable to Seizure if found within certain Distances of the Coast: And Whereas it frequently happens, that during Chase, and previously to such Vessels being taken Possession of, certain Persons, who are believed to be *British* Subjects, but of which there is no legal Proof, quit such Vessels, leaving only Foreigners on board, by which the Law is evaded, and the Vessels and Cargoes escape Confiscation, although the Cargoes may be evidently intended to be smuggled into the United Kingdom; be it therefore enacted, That in all such Cases where any Person shall escape from any such Vessel or Boat before Possession is taken of it, every such Person so escaping shall be deemed to be a Subject of His Majesty, within the Meaning of the

Smuggling.

without Payment of Duties.

How Value of Goods for Penalties is to be ascertained.

One Justice may issue Process for the Appearance of the Party before Two Justices.

One Justice may enforce Conviction.

Summons left at the Abode of the Party to be deemed good Service.

Persons escaping from Foreign Vessels in chase to be deemed *British* Subjects.

Smuggling.

the said last-mentioned Act, unless it shall be proved to the contrary.

Magistrate in adjoining County to have Jurisdiction.

'X. And Whereas in Proceedings under the said last-mentioned Act Difficulties frequently arise in procuring the Attendance of Two Magistrates who have Jurisdiction in the County where the Offence has been committed, and Delay is thereby occasioned; Be it enacted, That where the Attendance of Two Magistrates having Jurisdiction in the County where the Offence is committed cannot be conveniently obtained, it shall be lawful for a Magistrate of any adjoining County, with One Magistrate of the County in which the Offence was committed, to hear and determine any Information exhibited before them, and to have the same Powers and Authorities in all respects as to any Proceeding had under the said last-mentioned or any other Act for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, as if they were both Magistrates for the County in which the Offence was committed.

Penalties recovered before Justices to be paid to Commissioners of the Customs or Excise.

'XI. And be it further enacted, That all Penalties and Forfeitures which may be recovered before any Justices of the Peace under the said last-mentioned Act, or this or any other Act for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, on any Prosecution by Order of the Commissioners of Customs, shall be paid to the Commissioners of His Majesty's Customs, and on any Prosecution by Order of the Commissioners of Excise shall be paid to the Commissioners of His Majesty's Excise, or to the Person appointed by them respectively to receive the same; and such Penalties and Forfeitures shall be applied by the said Commissioners respectively in such Manner as the Law directs.

Goods found concealed in double Sides, or false Bottoms.

XII. And be it further enacted, That if any Goods which are subject to any Duty or Restriction in respect of Importation shall be found on Examination of any Package to be concealed in double Sides or false Bottoms, or in any other secret or disguised Place in such Package, or among any other Things in such Package, that then and in such Case not only all such Goods, but also all other Goods found in the said Package, shall be forfeited.

Treasury may restore Seizures.

XIII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, by an Order made for that Purpose under their Hands, to direct any Vessel, Boat, or Goods seized under any Act made for the Prevention of Smuggling, or relating to the Revenue of Customs or Excise, or to the Trade or Navigation of the United Kingdom, or of any of His Majesty's Possessions Abroad, to be delivered to the Owner or Owners, whether the same shall have been seized in the United Kingdom or Abroad, and whether Condemnation has taken place or not, upon such Conditions as they may deem expedient, and which shall be mentioned in the said Order; any thing in any Law to the contrary notwithstanding.

Persons entering an Appearance, and neglecting to plead, Prosecution.

XIV. And be it further enacted, That where any Person shall be arrested by virtue of a Warrant issued under the said Act for the Prevention of Smuggling, and shall enter into a Recognizance, and appear in the said Court at the Return of the said Recognizance, but shall not afterwards plead to the Information or

or Indictment, it shall and may be lawful for the Prosecutor of such Information or Indictment to cause a Copy thereof to be delivered to such Person, or to his or her Attorney or Agent, or to be left at his or her last Place of Abode, with a Notice thereon indorsed, that unless such Person shall, within Eight Days from the Time of such Delivery of a Copy of the Information or Indictment as aforesaid, cause a Plea to be entered in the said Court to such Information or Indictment, that the Prosecutor of such Information or Indictment will enter into a Plea of Not Guilty on his or her Behalf: and that upon Affidavit being made and filed in the Court, of the Delivery of a Copy of such Information or Indictment, with such Notice indorsed thereon as aforesaid, to such Person, or to his or her Attorney or Agent, or at his or her last Place of Abode, as the Case may be, it shall be lawful for the Prosecutor of such Information or Indictment to cause the Plea of Not Guilty to be entered in the said Court to such Information or Indictment for such Person, and such Proceedings shall be had thereupon as if the Defendant in such Information or Indictment had pleaded according to the usual Course of the said Court.

XV. And for the Purpose of enabling the Mayor and Commonalty and Citizens of the City of *London*, and their Successors, to ascertain and collect the Amount of the Dues payable to them upon the several Articles hereinafter mentioned, imported Coastwise into the Port of *London*, be it enacted, That if all or any of the Goods, of the Description hereinafter mentioned, (that is to say) Firkins of Butter, Tons of Cheese, Fish, Eggs, Salt, Fruit, Roots eatable, and Onions, brought Coastwise into the Port of the said City, and which are liable to the said Dues, shall be landed or unshipped at or in the said Port, before a proper Certificate of the Payment of the said Dues shall have been obtained, such Goods shall be forfeited, and may be seized by any Officer of His Majesty's Customs empowered to seize any Goods landed without due Entry thereof; and such Forfeiture may be sued for, prosecuted, and recovered by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Chamberlain of the said City, on behalf of the said Mayor and Commonalty and Citizens.

XVI. And Whereas by an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the Encouragement of British Shipping and Navigation*, it is enacted, that certain Sorts of Goods therein enumerated, being the Produce of *Europe*, shall not be imported into the United Kingdom to be used therein, except in *British Ships*, or in Ships of the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are imported; and it is expedient to discontinue such Restriction in respect of some of the Sorts of Goods so enumerated, and to extend such Restriction to certain other Sorts of Goods hereinafter enumerated; Be it therefore enacted, That from and after the First Day of *January* One thousand eight hundred and twenty eight, so much of the said Act as restricts, in manner before mentioned, the Importation of Rosin, Pitch, Vinegar, Sugar, Potashes, and Salt, being the Produce of *Europe*, shall be and the same is hereby repealed, and that in lieu thereof the several Sorts of Goods hereinafter enumerated,

Smuggling.

—
cutor may enter the Plea of Not Guilty, and proceed to Trial.

For obtaining Dues payable on certain Goods brought Coastwise.

Navigation.

—
6 G. 4. c. 109.

List of the enumerated Articles from Europe revised and altered.

Navigation.

ated, (that is to say) Wool, Shumac, Madders, Madder Roots, Barilla, Brimstone, Bark of Oak, Cork, Oranges, Lemons, Linseed, Rape Seed, and Clover Seed, being the Produce of *Europe*, shall not be imported into the United Kingdom to be used therein, except in *British Ships*, or in Ships of the Country of which the Goods are the Produce, or in Ships of the Country from which the Goods are imported; and that this Restriction shall be complied with and enforced in like Manner as if the same were contained in the said Act.

Stamps on Sea
Indentures, &c.
reduced.

XVII. And for the greater Encouragement of Navigation, be it further enacted, That no higher Duty of Stamps than Two Shillings shall be charged upon the Indenture of any Apprentice bound to serve at Sea in the Merchant Service, nor upon any Memorandum or Agreement made between the Master and Mariners of any Ship or Vessel, for Wages or Service on any Voyage in such Ship or Vessel; any thing in any other Act to the contrary notwithstanding.

Register.

6 G. 4. c. 110.

XVIII. And Whereas by another Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the registering of British Vessels*, it is enacted, that no Ship or Vessel shall be registered at *Malta* or *Gibraltar*, except such as are wholly of the Built of those Places respectively, and that such Ships shall not be registered elsewhere, and that such Ships so registered shall not be entitled to the Privileges and Advantages of *British Ships* in any Trade between the United Kingdom and any of the Colonies, Plantations, Islands, or Territories in *America* to His Majesty belonging: And Whereas it is expedient to permit all *British Ships* to be registered at *Malta* or *Gibraltar* in the like Manner and upon the same Terms and Conditions as Ships which are of the Built of those Places respectively; be it therefore enacted, That so much of the said Act as prohibits the registering at *Malta* or *Gibraltar*, of any Ship or Vessel other than such as are of the Built of those Places, shall be and the same is hereby repealed: Provided always, that no Ship or Vessel which shall have been registered at *Malta* or *Gibraltar* shall afterwards be registered elsewhere; and that no such Ship or Vessel shall be entitled to the Privileges or Advantages of *British Ships* in any Trade between the United Kingdom and any of the Colonies, Plantations, Islands, or Territories in *America* to His Majesty belonging.

British Ships
may be regis-
tered at Malta
and Gibraltar.

What Trade
not allowed.

Ships for which
Mediterranean
Passes may be
issued at Malta
or Gibraltar.

XIX. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty eight, no *Mediterranean Pass* shall be issued for the Use of any Ship, as being a Ship belonging to *Malta* or *Gibraltar*, except such as be duly registered at those Places respectively, or such as, not being entitled to be so registered, shall have wholly belonged, before the Tenth Day of *October* One thousand eight hundred and twenty seven, and shall have continued wholly to belong, to Persons actually residing at those Places respectively, as Inhabitants thereof, and entitled to be Owners of *British Ships* there registered, or who, not being so entitled, shall have so resided upwards of Five Years.

Proceedings
against Persons

XX. And Whereas if any Person shall wilfully detain the Certificate of Registry of any Ship or Vessel, and refuse to deliver

‘ deliver up the same to the proper Officer of the Customs, for the
 ‘ Purposes of such Ship or Vessel, as Occasion shall require, such
 ‘ Person may be proceeded against in Manner provided by the
 ‘ said last-mentioned Act; and Doubts have arisen whether such
 ‘ Proceedings may be had, unless the Certificate of Registry shall
 ‘ have been first demanded of such Person by the proper Officer
 ‘ of the Customs; and it is expedient to remove such Doubts;’
 Be it therefore enacted, That it shall be lawful for the Justice, or
 other Person having Jurisdiction in the Matter, and he is hereby
 required to receive Proof on Oath from the Person making Com-
 plaint to him of such Detainer and Refusal, that such Occasion
 has arisen, although the Certificates shall not have been demanded
 by any Officer of the Customs; and the indorsing of any Transfer
 of Property, or of the Name of any new Master, upon the Certi-
 ficate of Registry, by the Officers of the Customs, shall be deemed
 to be Purposes for which there is Occasion to deliver the Certifi-
 cate of Registry to the Officers of the Customs; and if any Person
 who is not in actual Possession of a Ship or Vessel shall detain
 the Certificate of Registry of such Ship or Vessel, from some
 Person who is in actual Possession of such Ship or Vessel as
 ostensible Owner thereof, or who has the actual Charge or Com-
 mand of such Ship or Vessel as ostensible Master thereof, then
 and in such Case Occasion shall be deemed to have arisen for
 delivering of such Certificate to the Officers of the Customs at the
 Port where such Ship shall then be, in order that such Certificate
 may be given to some Person who is in actual Possession of such
 Ship or Vessel as such ostensible Owner or Master.

Register.
 —
 detaining Re-
 gisters of Ships.

‘ XXI. And Whereas another Act was passed in the Sixth Year
 ‘ of the Reign of His present Majesty King George the Fourth,
 ‘ intitled *An Act for granting Duties of Customs*; and it is ex-
 ‘ pedient to alter and amend the same in Manner hereinafter
 ‘ provided;’ Be it therefore enacted, That instead of the Duties
 imposed by the said last-mentioned Act upon the several Articles
 mentioned in the Tables to this Act annexed, denominated re-
 spectively “Table of New Duties Inwards, 1827,” and “Table
 of Duties Coastwise, 1827,” the several Duties set forth in Figures
 in the said Tables shall, in respect of such Goods as are mentioned
 therein, be raised, levied, and collected, and paid unto His
 Majesty, in like Manner as if such Duties had been imposed in
 and by the said last-mentioned Act, and had been set forth in the
 Tables thereunto annexed; that is to say,

Duties.
 —
 6 G. 4. c. 111.

New Duties.

TABLE OF NEW DUTIES INWARDS, 1827.

	ℓ	s.	d.
Beef, salted - - - - the cwt.	0	12	0
Bristles, viz.			
— rough and in the Tufts, and not in any way sorted			
the lb.	0	0	2½
— in any way sorted, or arranged in Colours, and not en- tirely rough and in the Tufts - - the lb.	0	0	3½
If any Part of the Bristles in a Package be such as be subject to the higher Duty, the whole Contents of the Package shall be subject to the higher Duty.			

Pork,

Pork, salted (not being Hams or Bacon) - the cwt.	£ s. d.
Rice, the Produce of, and imported from any <i>British</i> Possession, viz.	0 12 0
— not being rough or in the Husk - the cwt.	0 4 0
— rough, and in the Husk or Paddy - the bushel	0 0 3
Seed, viz.	
— Castor Seed - - - the lb.	0 0 1
Staves, viz.	
— imported from any Foreign Country in <i>America</i> , or from the <i>Ionian Islands</i> , to be charged with the same Duty as the like Staves are charged with when imported from other Foreign Countries.	
Yarn, viz.	
— Worsted Yarn of all Sorts - - the lb.	0 0 6

TABLE OF DUTIES COASTWISE, 1827.

Slates, viz.	£ s. d.
— the Produce of <i>Scotland</i> , brought Coastwise from one Port to another Port in <i>Great Britain</i> - the 1,000	0 7 6
— or, and at the Option of the Importer, the Duties payable under the Act 6 Geo. 4. c. 3.	
Slate in Slabs or Blocks, not fit to be converted into Slates -	Duty-free.

Duties.

Spirits, though mixed, to pay Duty as such.

Warehouse.

Copper Ore may be taken out of Warehouse to be smelted.

XXII. And be it further enacted, That Spirits or Strong Waters imported into the United Kingdom, mixed with any Ingredient, and although thereby coming under some other Denomination, shall nevertheless be deemed to be Spirits or Strong Waters within the Meaning of the said last-mentioned Act, and be subject to Duty as such.

‘XXIII. And Whereas it is expedient to permit Copper Ore ‘warehoused to be taken out of Warehouse without Payment of ‘Duty, for the Purpose of being smelted, and of re-warehousing ‘the Copper produced from the same;’ Be it therefore enacted, That it shall be lawful for the Importer or Proprietor of any Copper Ore warehoused to give Notice to the proper Officers of the Customs of his Intention to take such Ore out of Warehouse to be smelted, stating in such Notice the Quantity of Copper computed to be contained in such Ore, and delivering to such Officers sufficient Samples or Specimens for ascertaining by proper Assays, at the Expence of the Proprietor, such Quantity of Copper, and giving sufficient Security by Bond for returning such Quantity of Copper into the Warehouse; and if such Officers shall be satisfied of the Fairness of the Samples or Specimens of such Ore, and of the Assays made of the same, and of the Security given, they shall deliver such Ore for the Purpose of being smelted as aforesaid: Provided always, that if any Copper Ore intended to be so smelted shall be imported into any Port where such Ore or where Copper cannot be warehoused, the same may be entered as being to be warehoused at the Port at which the Copper after smelting is to be warehoused, and such Ore shall thereupon be taken account of

of and delivered for the Purposes aforesaid, in like Manner as if the same had been warehoused: Provided also, that all Copper so produced by smelting shall be deemed to be Copper imported, and shall be warehoused as such.

Warehouse.
—

XXIV. And be it further enacted, That upon the Entry Outwards of any Salted Beef or Salted Pork to be exported from the Warehouse to Parts beyond the Seas, and before Cocket be granted, the Person in whose Name the same be entered shall give Security by Bond in Treble the Value of the Goods, with Two sufficient Sureties, of whom the Master of the exporting Ship shall be one, that such Beef or Pork shall be duly shipped and exported, and that no Part thereof shall be consumed on board such Ship, and that the same shall be landed at the Place for which it be entered Outwards; and that a Certificate of such Landing shall be produced within a reasonable Time, according to the Voyage, to be fixed by the Commissioners of the Customs, and mentioned in the Bond, such Certificate to be signed by the Officers of the Customs or other *British* Officer, if the Goods be landed at a Place in the *British* Dominions, or by the *British* Consul, if the Goods be landed at a Place not in the *British* Dominions, or that such Goods shall be otherwise accounted for to the Satisfaction of the said Commissioners; and such Master shall make Oath that such Beef or Pork is to be laden on board such Ship as Merchandize to be carried to and landed at Parts beyond the Seas, and not as Stores for the said Ship; and if such Ship shall not have on board at the Time of Clearance Outwards a reasonable Supply or Stock of Beef or Pork according to the intended Voyage borne upon the Victualling Bill, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

Bond for Beef and Pork exported from Warehouse.

Beef and Pork exported from Warehouse not to be used as Stores.

XXV. And Whereas another Act was passed in the said Sixth Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to regulate the Trade of the British Possessions Abroad*, and it is expedient to alter and amend the same in Manner hereinafter provided; Be it therefore enacted, That Goods the Produce of Places within the Limits of the *East India* Company's Charter shall be subject to the like Duty as Goods, Wares, and Merchandize, not being of the Growth, Production, or Manufacture of the United Kingdom, or of any of the *British* Possessions in *America*, are subject to, under the said last-mentioned Act, on Importation into any of the *British* Possessions in *America*, unless such Goods shall be imported from some Place within those Limits, or from the United Kingdom, or from some Place in the *British* Dominions.

Possessions Abroad.
—

6 G. 4. c. 114.

East India Goods not free if imported from Foreign Places.

XXVI. And be it further enacted, That in all Trade with the *British* Possessions in *America*, the *Cape of Good Hope*, and the Territories and Dependencies thereof, shall be deemed to be within the Limits of the *East India* Company's Charter.

Cape of Good Hope to be in the Limits of the Charter.

XXVII. And be it further enacted, That no Goods shall, upon Importation into any of the *British* Possessions in *America*, be deemed to be of the Growth, Production, or Manufacture of the United Kingdom, or of any *British* Possession in *America*, unless imported from the United Kingdom, or from some *British* Possession in *America*.

Goods not deemed the Produce of the United Kingdom, &c. unless imported direct.

XXVIII. And

*Possessions
Abroad.*

Prohibition of
Beef and Pork
repealed.

New Duties.

XXVIII. And be it further enacted, That so much of the said last-mentioned Act as prohibits the importing or bringing into any of the *British Possessions in America*, of Beef, Pork, or Cocoa Nuts, and also so much of the said Act as prohibits the Importation of Coffee, Sugar, Molasses, or Rum, into any of the Free Warehousing Ports in any of the said Possessions, for the Purpose of being warehoused for Exportation only, shall be and the same is hereby repealed.

XXIX. And be it further enacted, That instead of the Duties imposed by the said last-mentioned Act, and set forth in a Table therein contained, denominated "Table of Duties," the several Duties set forth in Figures in the Table hereinafter contained, and denominated "Table of New Duties, 1827," shall, in respect of such Goods as are therein mentioned, be raised, levied, collected, and paid unto His Majesty, in like Manner as if such Duties had been imposed in the said last-mentioned Act, and had been set forth in the said Table therein contained.

TABLE OF NEW DUTIES, 1827.

	£	s.	d.
Silk Manufactures, for every 100 <i>l.</i> of the Value - -	30	0	0
Cotton Manufactures, for every 100 <i>l.</i> of the Value - -	20	0	0
Salted Beef and Salted Pork, except into <i>Newfoundland</i> , and all Salted Beef and Salted Pork imported from <i>Newfoundland</i> , whether of Foreign Production or not, the cwt.	0	12	0
Spirits, not otherwise charged with Duty, for every Gallon -	0	1	0

Spirits of the
West Indies
from one Co-
lony in North
America to
another.

Wine in Casks
from Gibraltar.
Wine in Bot-
tles from
United King-
dom.

All Fish Oil to
be as Train Oil.

Masts, &c. from
Canada deemed
Produce of
Canada.

XXX. And be it further enacted, That Spirits the Produce of any of the *British Possessions in South America* or the *West Indies*, imported into any of the *British Possessions in North America*, from some other *British Possession in North America*, shall not be subject to any higher Duty than would have been payable if such Spirits had been imported from some *British Possession in South America* or the *West Indies*; and that Wine in Casks imported into the *British Possessions in North America*, from *Gibraltar* or *Malta*, shall not be subject to any higher Duty than would have been payable if such Wine had been imported from the United Kingdom; and that Wine in Bottles, having been bottled in the United Kingdom, imported into any of the *British Possessions in America*, from the United Kingdom, shall not be subject to any higher Duty than would have been payable if such Wine had been imported in Casks; and that no Duty shall be charged upon the Bottles containing such Wine.

XXXI. And be it further enacted, That all Oil made from Fish, or Creatures living in the Sea, shall be subject to the Prohibitions and Regulations of the said last-mentioned Act in respect of Train Oil.

XXXII. And be it further enacted, That all Masts, Timber, Staves, Wood Hoops, Shingles, Lathwood, and Cordwood for Fuel, imported from the *Canadas* into any other *British Possession in America*, or into the United Kingdom, shall be deemed to be the Pro-

Produce of the *Canadas*; and that Wood of all Sorts which shall have been warehoused at any Warehousing Port in any of the *British Possessions* in *North America*, and exported from the Warehouse, shall upon Importation into any other *British Possession* in *America* be subject only to One Fourth Part of such Duty as would otherwise be charged thereon.

XXXIII. And be it further enacted, That Masts, Timber, Staves, Wood Hoops, Shingles, Lathwood, Cordwood for Fuel, raw Hides, Tallow, Ashes, fresh Meat, fresh Fish, and Horses, Carriages, and Equipages of Travellers, being brought by Land or Inland Navigation into the *British Possessions* in *America*, shall be so brought Duty-free.

XXXIV. Provided always, and be it enacted and declared, That no Exemption from Duty in any of the *British Possessions* Abroad, contained in any Act of Parliament, does or shall extend to any Duty not imposed by Act of Parliament, unless and so far only as any other Duty is or shall be expressly mentioned in such Exemption.

XXXV. And Whereas it is expedient to appoint the Ports of *Kingston* and *Montreal* in the *Canadas* to be Warehousing Ports for the warehousing of Goods in certain Cases; Be it therefore enacted, That the said Ports of *Kingston* and *Montreal* shall be and are hereby appointed Warehousing Ports for the warehousing of Goods brought by Land or Inland Navigation, and of Goods imported by Sea in *British Ships*, in like Manner as if the said Ports had been so appointed by the said last-mentioned Act.

XXXVI. And be it further enacted, That upon the Arrival of any Goods at any Frontier Port in the *Canadas*, such Goods may be entered with the proper Officer of the Customs at such Port, to be warehoused at some Warehousing Port in the *Canadas*, and may be delivered by such Officer to be passed on to such Warehousing Port, under Bond, to the Satisfaction of such Officer, for the due Arrival and Warehousing of such Goods at such Port.

XXXVII. And be it further enacted, That Goods warehoused at any Warehousing Port in any of the *British Possessions* in *America*, being first duly entered, may be delivered under the Authority of the proper Officer of the Customs, without Payment of any Duty, except for any Deficiency thereof, for the Purpose of Removal to another Warehousing Port in the same Possession, under Bond, to the Satisfaction of such Officer, for the due Arrival and Re-warehousing of such Goods at such other Port.

XXXVIII. And be it further enacted, That if any Goods which are prohibited to be imported into any Port or Place in the *British Possessions* in *America*, shall be imported, contrary to such Prohibition, in any Ship or Vessel which is of less Burthen than Seventy Tons, such Ship or Vessel shall be forfeited; and that the Tonnage of such Ship or Vessel shall be ascertained in the same Manner as the Tonnage of *British* registered Ships is ascertained.

XXXIX. And be it further enacted and declared, That nothing contained in an Act of the last Session of Parliament, intituled *An Act to alter and amend the several Laws relating to the Customs*, did, does, or shall extend to repeal or in any way alter or affect an Act passed in the Thirty seventh Year of the Reign of His late Ma-

*Possessions
Abroad.*

Masts, &c.
brought In-
land, Duty-
free.

Exemption to
extend only to
Duties by Act
of Parliament.

Kingston and
Montreal in
Canada to be
Warehousing
Ports in certain
Cases.

Goods passed
on from Fron-
tier Ports to
Warehouse
Ports.

Warehoused
Goods removed
to another
Port.

Small Vessels
importing pro-
hibited Goods
forfeited.

Provisions of
7 G. 4. c. 48.
not to affect
37 G. 3. c. 117.

*Possessions
Abroad.*

Certain Persons may cease to be deemed Dutch Proprietors in Demerara, &c.

jeisty King George the Third, intituled *An Act for regulating the Trade to be carried on with the British Possessions in India, by Ships of Nations in Amity with His Majesty*, nor to revoke, alter or affect any Regulations formed under the Authority of that Act, which were in force at the Time of the Commencement of the said Act of the last Session of Parliament.

‘ XL. And Whereas by the said Act for regulating the Trade of the *British Possessions Abroad*, certain Persons therein described, Subjects of His Majesty the King of the *Netherlands*, being Proprietors of Estates, or Holders of Mortgages of Estates in the Colonies of *Demerara* and *Essequibo* and of *Berbice*, are denominated and deemed to be *Dutch Proprietors* in the said Colonies, for certain Purposes in the said Act mentioned; and it is expedient to permit any of such Persons, at their Option, to relinquish such Character of *Dutch Proprietor*;’ Be it therefore enacted, That if any such Person shall make and sign a Declaration in Writing, attested by Two credible Witnesses, setting forth that he is desirous and has elected not to be deemed to be a *Dutch Proprietor* within the Meaning of the said Act, in respect of any such Estate or Mortgage to be mentioned and named in such Declaration, and shall cause such Declaration to be delivered to the Commissioners of His Majesty’s Customs, such Person shall thenceforth be no longer nor again deemed a *Dutch Proprietor* within the Meaning of the said Act, in respect of the Estate or Mortgage so mentioned in such Declaration as aforesaid, and such Declaration shall have effect in respect of any Goods the Produce of any such Estate of which such Person, so far as relates to those Goods, was a *Dutch Proprietor*, although such Goods may have been exported from the Colony before the delivering of such Declaration as aforesaid.

‘ XLI. And Whereas by the said Act for regulating the Trade of the *British Possessions Abroad* it is amongst other Things recited, that by the Law of Navigation Foreign Ships are permitted to import into any of the *British Possessions Abroad*, from the Countries to which they belong, Goods the Produce of those Countries, and to export Goods from such Possessions, to be carried to any Foreign Country whatever, and that it is expedient that such Permission should be subject to certain Conditions; and it is therefore by the said Act enacted, that the Privileges thereby granted to Foreign Ships shall be limited to the Ships of those Countries which, having Colonial Possessions, shall grant the like Privileges of trading with those Possessions to *British Ships*, or which, not having Colonial Possessions, shall place the Commerce and Navigation of this Country, and of its Possessions Abroad, upon the Footing of the most favoured Nation, unless His Majesty by His Order in Council shall in any Case deem it expedient to grant the whole or any of such Privileges to the Ships of any Foreign Country, although the Conditions aforesaid shall not in all respects be fulfilled by such Foreign Country: And Whereas, unless some Period be limited for the Fulfilment by Foreign Countries of the Conditions mentioned and referred to in the said recited Act, the Trade and Navigation of the United Kingdom and of the *British Possessions Abroad* cannot be regulated by fixed and certain Rules, but will

‘ continue

' continue subject to Changes dependent upon the Laws from time to time made in such Foreign Countries;' Be it therefore enacted, That no Foreign Country shall hereafter be deemed to have fulfilled the Conditions so prescribed as aforesaid in and by the said Act, as to be entitled to the Privileges therein mentioned, unless such Foreign Country had in all respects fulfilled those Conditions within Twelve Months next after the passing of the said Act, that is to say, on or before the Fifth Day of July One thousand eight hundred and twenty six.

XLII. And for the better ascertaining what particular Foreign Countries are permitted by Law to exercise and enjoy the said Privileges, be it further enacted, That no Foreign Country shall hereafter be deemed to have fulfilled the before-mentioned Conditions, or to be entitled to the Privileges aforesaid, unless and until His Majesty shall, by some Order or Orders to be by Him made by the Advice of His Privy Council, have declared that such Foreign Country hath so fulfilled the said Conditions, and is entitled to the said Privileges.

XLIII. Provided always, and it is hereby declared and enacted, That nothing herein contained extends or shall be construed to extend to make void or annul any Order or Orders in Council heretofore issued under the Authority or in pursuance of the said recited Act, or to take away or abridge the Powers vested in His Majesty in and by the said Act, or any of those Powers; any thing herein contained to the contrary in anywise notwithstanding.

C A P. LVII.

An Act to permit, until the First Day of May One thousand eight hundred and twenty eight, certain Corn, Meal, and Flour to be entered for Home Consumption.

[2d July 1827.]

' WHEREAS it is expedient to permit, for a limited Time, certain Corn, Grain, Meal, and Flour to be entered for Home Consumption, upon Payment of the respective Duties hereinafter mentioned, although such Corn, Grain, Meal, or Flour may not, at the Time of such Entry, be admissible for Home Consumption under the Provisions of the Laws now in force for regulating the Importation of Corn, or may be admissible only on Payment of higher Duties;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from the Time of the passing of this Act, until the First Day of May One thousand eight hundred and twenty eight, it shall be lawful for the Importer or Proprietor of any Corn, Grain, Meal, or Flour, imported from any Foreign Country, which had either been warehoused, or reported inwards to be warehoused, on or before the First Day of July One thousand eight hundred and twenty seven, and also for the Importer or Proprietor of any Corn, Grain, Meal, or Flour, imported before the First Day of May One thousand eight hundred and twenty eight from any British Possession in North America, or elsewhere out of Europe, to enter the same for Home Consumption, under the Conditions

Possessions
Abroad.

Limiting the Period for Fulfilment of the Conditions as to the Inter-course of Foreign Ships with the British Possessions Abroad.

For ascertaining what Foreign Countries are to be deemed entitled to Privileges of British Ships.

Act not to affect Orders in Council issued under Authority of recited Act.

Corn warehoused on 1st July 1827, may be entered for Home Consumption until 1st May 1828, upon Payment of the Duty specified in the Table.

and Regulations hereinafter provided, and on Payment of the respective Duties specified and set forth in the Tables annexed to this Act.

Duties to be
levied as other
Duties of Customs.

II. And be it further enacted, That the Duties imposed by this Act shall be raised, levied, collected, recovered, and paid unto His Majesty in like Manner as any Duties of Customs are or can be raised, levied, collected, recovered, and paid: Provided always, that nothing contained in this Act shall extend to the charging at any Time of any higher Duty upon any Corn, Grain, Meal, or Flour, than would have been payable at such Time on the same if this Act had not been passed: Provided also, that nothing contained in this Act shall extend to admit for Home Consumption any Corn, Grain, Meal, or Flour prohibited to be entered for Home Consumption, either on account of the Sort or Description of the same, or on account of the Ship in which or of the Place from whence the same had been imported.

Averages.

III. And be it further enacted, That the Average Prices of Corn, by which the Rate and Amount of the Duties imposed by this Act shall be regulated, shall be made up and computed on *Thursday* in each and every Week, in Manner following; that is to say, the Receiver of Corn Returns shall, on such *Thursday* in each Week, from the Returns received by him during the Week next preceding, ending on and including the *Saturday* in such Week, add together the Total Quantities of each Sort of Corn respectively appearing by such Returns to have been sold, and the Total Prices for which the same shall thereby appear to have been sold, and shall divide the Amount of such Total Prices respectively by the Amount of such Total Quantities of each Sort of Corn respectively, and the Sum produced thereby shall be added to the Sums in like Manner produced in the Five Weeks immediately preceding the same, and the Amount of such Sums so added shall be divided by Six, and the Sum thereby given shall be deemed and taken to be the aggregate Average Price of each such Sort of Corn respectively, for the Purpose of regulating and ascertaining the Rate and Amount of the said Duties; and the said Receiver of Corn Returns shall cause such aggregate Weekly Averages to be published in the next succeeding Gazette, and shall, on *Thursday* in each Week, transmit a Certificate of such aggregate Average Prices of each Sort of Corn to the Collector or other Chief Officer of the Customs at each of the several Ports of the United Kingdom; and the Rate and Amount of the Duties to be paid under the Provisions of this Act shall from time to time be regulated and governed at each of the Ports of the United Kingdom respectively by the aggregate Average Prices of Corn at the Time of the Entry for Home Consumption of any Corn, Grain, Meal, or Flour, chargeable with any such Duty, as such aggregate Average Prices shall appear and be stated in the last of such Certificates as aforesaid which shall have been transmitted as aforesaid, and received by the Collector or other Chief Officer of Customs at such Port.

Averages to be
computed according to Imperial Measure.

IV. Provided always, and be it further enacted, That in the Returns to be made to the Receiver of Corn Returns, and in the Publications so to be made from time to time in the *London Gazette*, and in the Certificate so to be transmitted by the said Receiver

Receiver of Corn Returns to such Collectors or other Chief Officers of the Customs as aforesaid, the Quantities of each Sort of Corn respectively shall be computed and set forth by, according, and with reference to the Imperial Standard Gallon, as the same is declared and established by an Act passed in the Fifth Year of His present Majesty's Reign, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, as the said Act is amended by another Act, passed in the Sixth Year of His present Majesty's Reign, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures, and to amend the said Act*.

5 G. 4. c. 74.

6 G. 4. c. 12.

V. Provided always, and be it further enacted, That in each of the Five successive Weeks which shall elapse next after the passing of this Act, the said Receiver of Corn Returns shall make up and compute such aggregate Weekly Averages as aforesaid, by adding to the aggregate Average Price of each such Sort of Corn respectively, for each such successive Week, the aggregate Average Prices for the Five Weeks next immediately preceding, as the same shall have been published in the successive Gazettes of such Five preceding Weeks.

Manner of computing the Averages for the first Five Weeks.

VI. Provided always, and be it further enacted, That no Corn, Grain, Meal, or Flour shall be shipped from any Port in any *British* Possession out of *Europe* as being the Produce of any such Possession, until the Owner or Proprietor or Shipper thereof shall have made and subscribed, before the Collector or other Chief Officer of Customs at the Port of Shipment, a Declaration in Writing, specifying the Quantity of each Sort of such Corn, Grain, Meal, or Flour, and that the same was the Produce of some *British* Possession out of *Europe*, to be named in such Declaration, and shall have obtained from the Collector or other Chief Officer of the Customs at the said Port, a Certificate, under his Signature, of the Quantity of Corn, Grain, Meal, or Flour so declared to be shipped; and before any Corn, Grain, Meal, or Flour shall be entered at any Port or Place in the United Kingdom as being the Produce of any *British* Possession out of *Europe*, the Master of the Ship importing the same shall produce and deliver, to the Collector or other Chief Officer of Customs of the Port or Place of Importation, a Copy of such Declaration, certified to be a true and accurate Copy thereof, under the Hand of the Collector and other Chief Officer of Customs at the Port of Shipment before whom the same was made, together with the Certificate, signed by the said Collector or other Chief Officer of the Customs, of the Quantity of Corn so declared to be shipped; and such Master shall also make and subscribe, before the Collector or other Chief Officer of Customs at the Port or Place of Importation, a Declaration in Writing, that the several Quantities of Corn, Grain, Meal, or Flour on board such Ship, and proposed to be entered under the Authority of such Declaration, are the same that were mentioned and referred to in the Declaration and Certificate so produced by him, without any Admixture or Addition; and if any Person shall, in any such Declaration, wilfully and corruptly make any false Statement respecting the Place of which any such Corn, Grain, Meal, or Flour was the Produce,

Declaration of Origin for Corn the Growth of any British Possession.

or respecting the Identity of any such Corn, Grain, Meal, or Flour, such Person shall forfeit and become liable to pay to His Majesty the Sum of One hundred Pounds, and the Corn, Grain, Meal, or Flour on board any such Ship shall also be forfeited: Provided also, that the Declarations aforesaid shall not be required in respect of any Corn, Grain, Meal, or Flour which shall have been shipped within Three Months next after the passing of this Act.

Accounts of the Quantity of Corn in Warehouse to be published.

VII. Provided always, and be it further enacted, That the Commissioners of His Majesty's Customs shall, as soon as may be after the passing of this Act, cause to be published in the *London Gazette* an Account of the Total Quantity of Corn, Grain, Meal, and Flour, distinguishing the Produce of His Majesty's Possessions out of *Europe* from the Produce of Foreign Countries, which shall be in Warehouse on the First of *July* One thousand eight hundred and twenty seven; and shall once in each succeeding Calendar Month cause to be so published an Account of all Corn, Grain, Meal, or Flour, distinguishing the Produce as aforesaid, which shall in the Month next preceding have paid the Duties established by this Act, together with an Account of the Total Quantity of each Sort of the said Corn, Grain, Meal, and Flour respectively, as aforesaid, remaining in Warehouse at the End of such next preceding Calendar Month.

Continuance of Act.

VIII. And be it further enacted, That this Act shall continue in force until the First Day of *May* One thousand eight hundred and twenty eight.

TABLES to which this Act refers.

A TABLE of the TEMPORARY DUTIES payable upon CORN, GRAIN, MEAL, or FLOUR imported from any Foreign Country, and warehoused or reported to be warehoused in the United Kingdom, prior to the First Day of *July* One thousand eight hundred and twenty seven.

WHEAT:—		£	s.	d.
—	Whenever the Average Price of Wheat, made up and published in manner required by Law, shall be Sixty two Shillings and under Sixty three Shillings the Quarter, the Duty shall be for every Quarter -	1	0	8
- - -	And in respect of every integral Shilling by which such Price shall be above Sixty two Shillings, such Duty shall be decreased by Two Shillings, until such Price shall be Seventy two Shillings.			
—	Whenever such Price shall be at or above Seventy two Shillings, the Duty shall be for every Quarter	0	1	0
—	Whenever such Price shall be under Sixty two Shillings and not under Sixty one Shillings, the Duty shall be for every Quarter - - -	1	2	8
- - -	And in respect of each integral Shilling, or any Part of each integral Shilling, by which such Price shall be under Sixty one Shillings, such Duty shall be increased by Two Shillings.			
BARLEY:—				
—	Whenever the Average Price of Barley, made up and published in manner required by Law shall be Thirty three Shillings and under Thirty four Shillings the Quarter, the Duty shall be for every Quarter -	0	12	4

BARLEY — *continued.*

- - - - And in respect of every integral Shilling by which such Price shall be above Thirty three Shillings, such Duty shall be decreased by One Shilling and Sixpence, until such Price shall be Forty one Shillings.
- Whenever such Price shall be at or above Forty one Shillings, the Duty shall be for every Quarter -
- Whenever such Price shall be under Thirty three Shillings and not under Thirty two Shillings, the Duty shall be for every Quarter -
- - - - And in respect of each integral Shilling, or any Part of each integral Shilling, by which such Price shall be under Thirty two Shillings, such Duty shall be increased by One Shilling and Sixpence.

OATS : —

- Whenever the Average Price of Oats, made up and published in manner required by Law, shall be Twenty five Shillings and under Twenty six Shillings the Quarter, the Duty shall be for every Quarter -
- - - - And in respect of every integral Shilling by which such Price shall be above Twenty five Shillings, such Duty shall be decreased by One Shilling and Sixpence, until such Price shall be Thirty one Shillings.
- Whenever such Price be at or above Thirty one Shillings, the Duty shall be for every Quarter -
- Whenever such Price shall be under Twenty five Shillings and not under Twenty four Shillings, the Duty shall be for every Quarter -
- - - - And in respect of each integral Shilling, or any Part of each integral Shilling, by which such Price shall be under Twenty four Shillings, such Duty shall be increased by One Shilling and Sixpence.

RYE, PEASE, AND BEANS : —

- Whenever the Average Price of Rye, or of Pease, or of Beans, made up and published in manner required by Law, shall be Thirty six Shillings and under Thirty seven Shillings the Quarter, the Duty shall be for every Quarter -
- - - - And in respect of every integral Shilling by which such Price shall be above Thirty six Shillings, such Duty shall be decreased by One Shilling and Sixpence, until such Price shall be Forty six Shillings.
- Whenever such Price shall be at or above Forty six Shillings, the Duty shall be for every Quarter -
- Whenever such Price shall be under Thirty six Shillings and not under Thirty five Shillings, the Duty shall be for every Quarter -
- - - - And in respect of each integral Shilling, or any Part of each integral Shilling, by which such Price shall be under Thirty five Shillings, such Duty shall be increased by One Shilling and Sixpence.

WHEAT MEAL AND FLOUR : —

- For every Barrel, being One hundred and ninety six
E e 4

WHEAT MEAL AND FLOUR — <i>continued.</i>	£ s. d.
Pounds, a Duty equal in Amount to the Duty payable on Thirty eight and a half Gallons of Wheat.	
OATMEAL: —	
—— For every Quantity of One hundred and eighty one and a half Pounds, a Duty equal in Amount to the Duty payable on a Quarter of Oats.	
MAIZE OR INDIAN CORN, BUCK WHEAT, BEER OR BIGG: —	
—— For every Quarter, a Duty equal in Amount to the Duty payable on a Quarter of Barley.	

A TABLE of the TEMPORARY DUTIES payable upon CORN, GRAIN, MEAL, or FLOUR, the Produce of any British Possession in North America, or elsewhere out of Europe, and imported from thence before the First Day of May One thousand eight hundred and twenty eight.

WHEAT: —	£ s. d.
—— For every Quarter - - - - -	0 5 0
- - - - Until the Price of British Wheat, made up and published in manner required by Law, shall be Sixty seven Shillings per Quarter.	
—— Whenever such Price shall be at or above Sixty seven Shillings, the Duty shall be for every Quarter -	0 0 6
BARLEY: —	
—— For every Quarter - - - - -	0 2 6
- - - - Until the Price of British Barley, made up and published in manner required by Law, shall be Thirty four Shillings per Quarter.	
—— Whenever such Price shall be at or above Thirty four Shillings, the Duty shall be for every Quarter -	0 0 6
OATS: —	
—— For every Quarter - - - - -	0 2 0
- - - - Until the Price of British Oats, made up and published in manner required by Law, shall be Twenty five Shillings per Quarter.	
—— Whenever such Price shall be at or above Twenty five Shillings, the Duty shall be for every Quarter -	0 0 6
RYE, PEASE, AND BEANS: —	
—— For every Quarter - - - - -	0 3 0
- - - - Until the Price of British Rye, or of Pease, or of Beans, made up and published in manner required by Law, shall be Forty one Shillings.	
—— Whenever such Price shall be at or above Forty one Shillings, the Duty shall be for every Quarter -	0 0 6
WHEAT MEAL AND FLOUR: —	
—— For every Barrel, being One hundred and ninety six Pounds, a Duty equal in Amount to the Duty payable on Thirty eight and a half Gallons of Wheat.	
OATMEAL: —	
—— For every Quantity of One hundred and eighty one and a half Pounds, a Duty equal in Amount to the Duty payable on a Quarter of Oats.	
MAIZE OR INDIAN CORN, BUCK WHEAT, BEER OR BIGG: —	
—— For every Quarter, a Duty equal in Amount to the Duty payable on a Quarter of Barley.	

C A P. LVIII.

An Act to make Provision for ascertaining from time to time the Average Prices of *British Corn*. [2d July 1827.]

‘ WHEREAS an Act was passed in the First and Second Year of His present Majesty’s Reign, intituled *An Act to repeal certain Acts passed in the Thirty first, Thirty third, Forty fourth, and Forty fifth Years of His late Majesty King George the Third, for regulating the Importation and Exportation of Corn, Grain, Meal, and Flour into and from Great Britain; and to make further Provisions in lieu thereof*: And Whereas it is expedient to repeal the said Act;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the First and Second Year of His present Majesty’s Reign shall be and the same is hereby repealed: Provided always, that all Acts and Parts of Acts which were repealed by or by virtue of the said Acts shall continue and shall be deemed and taken to be repealed, as fully and effectually, to all Intents and Purposes, as if this present Act had not been made.

1&2G.4. c.87.

Recited Act repealed.

Proviso as to Acts repealed by recited Act.

‘ II. And Whereas, for duly regulating the Importation of Foreign Corn, Grain, Meal, and Flour into the United Kingdom for Consumption, it is necessary that effectual Provision should be made for ascertaining from time to time the Average Prices of *British Corn*.’ Be it therefore enacted, That Weekly Returns of the Purchases and Sales of *British Corn* shall be made in the Manner hereinafter directed in the following Cities and Towns; that is to say, *London, Chelmsford, Colchester, Romford, Maidstone, Canterbury, Dartford, Chichester, Lewes, Rye, Ipswich, Woodbridge, Sudbury, Hadleigh, Stowmarket, Bury Saint Edmunds, Beccles, Bungay, Lowestoft, Cambridge, Ely, Wisbeach, Norwich, Yarmouth, Lynn, Thetford, Walton, Diss, East Dereham, Harleston, Holt, Aylesham, Fakenham, Northwalsham, Lincoln, Gainsborough, Gladfordbridge, Louth, Boston, Sleaford, Stamford, Spalding, York, Bridlington, Beverley, Howden, Hull, Whitby, New Malton, Durham, Stockton, Darlington, Sunderland, Barnard Castle, Walsingham, Belford, Hexham, Newcastle-upon-Tyne, Morpeth, Alnwick, Berwick-upon-Tweed, Carlisle, Whitehaven, Cockermouth, Penrith, Egremont, Appleby, Kirkby-in-Kendal, Liverpool, Uwerston, Lancaster, Preston, Wigan, Warrington, Manchester, Bolton, Chester, Nantwich, Middlewich, Four Lane Ends, Holywell, Mold, Denbigh, Wrexham, Llanrwst, Ruthin, Beaumaris, Llannerchymed, Llangefin, Carnarvon, Pwelli, Conway, Bala, Corwen, Dolgelly, Cardigan, Lampeter, Aberystwith, Pembroke, Fishguard, Haverfordwest, Carmarthen, Llandilo, Kidwilly, Swansea, Neath, Cowbridge, Cardiff, Gloucester, Cirencester, Teibury, Stow-on-the-Wold, Tewkesbury, Bristol, Taunton, Wells, Bridgewater, Frome, Chard, Monmouth, Abergavenny, Chepstow, Pont-y-Pool, Exeter, Barnstaple, Plymouth, Totness, Tavistock, Kingsbridge, Truro, Bodmin, Launceston, Redruth, Helstone, St. Austell, Blandford, Bridport, Dorchester, Sherborne, Shaston, Wareham,*

Weekly Returns of Corn to be made in the Places herein mentioned by Inspectors to be appointed for that Purpose.

Wareham, Winchester, Andover, Basingstoke, Fareham, Havant, Newport, Ringwood, Southampton, and Portsmouth: And for the Purpose of duly collecting and transmitting such Weekly Returns as aforesaid, there shall be appointed in each of the said Cities and Towns, in manner hereinafter directed, a fit and proper Person to be Inspector of Corn Returns.

Comptroller.

III. And be it further enacted, That it shall be lawful for His Majesty to appoint a fit and proper Person to be Comptroller of Corn Returns, for the Purposes hereinafter mentioned, and to grant to such Comptroller of Corn Returns such Salary and Allowances as to His Majesty shall seem meet: Provided always, that such Person shall be appointed to and shall hold such his Office during His Majesty's Pleasure, and not otherwise, and shall at all Times conform to and obey such lawful Instructions touching the Execution of the Duties of such his Office, as shall from time to time be given to him by the Lords of the Committee of Privy Council, appointed for the Consideration of all Matters relating to Trade and Foreign Plantations.

Oath of Comptroller.

IV. And be it further enacted, That the said Comptroller of Corn Returns, before he enters on the Execution of such his Office, shall, before some or one of the Barons of His Majesty's Court of Exchequer at *Westminster*, or before one of His Masters in Ordinary of the High Court of Chancery, take and subscribe an Oath in the following Words; that is to say,

' I A. B. do swear, That I will, to the best of my Skill and Knowledge, execute the Office of Comptroller of Corn Returns, according to the Provisions of an Act passed in the Eighth Year of the Reign of His Majesty King *George the Fourth*, intituled [*here set forth the Title of this Act.*]

' So help me GOD.'

Comptroller may have a Deputy, in case of Necessity.

V. And be it further enacted, That the said Comptroller of Corn Returns shall at all Times execute the Duties of such his Office in Person, and not by Deputy; but that it shall and may be lawful for His Majesty to appoint a fit and proper Person who shall act as Deputy Comptroller of Corn Returns in case of the Sickness or other Incapacity of the said Comptroller, or in case he the said Comptroller should, with the Permission of the Lords of the said Committee of Privy Council, be absent from *London*; and all and every the Powers hereby vested in the said Comptroller of Corn Returns, and all and every the Acts, Matters, and Things hereby directed to be done and performed by him, shall be vested in and shall and may be done and performed by any such Deputy as aforesaid, during the Continuance of any such Sickness, Incapacity, or Absence as aforesaid of the said Comptroller of Corn Returns, and such Deputy shall hold such his Office during His Majesty's Pleasure, and not otherwise, and shall receive and be paid such Salary and Allowances as to His Majesty shall seem meet.

Comptroller to send and receive Letters free of Postage.

VI. And be it further enacted, That it shall and may be lawful for the said Comptroller of Corn Returns to send by the Post to any Part of the United Kingdom, and to receive by the Post from any Place whatever, any Letters or Packets relating exclusively to the Duties of such his Office, free from all Duties of Postage; provided

provided that the Words "On His Majesty's Service" shall be written or printed on the Outside of each of the said Letters or Packets so sent by the said Comptroller of Corn Returns; and that such Words shall be subscribed with the Name of the said Comptroller of Corn Returns in his Handwriting; and also provided that it shall be lawful for His Majesty's Postmaster General, or for his Secretary or other Officer authorized by him in that Behalf, to examine and search all such Letters and Packets, and to charge against the Person or Persons sending the same Treble Postage on any Letter or Packet which may be so sent to or by the said Comptroller of Corn Returns contrary to the Provisions of this Act.

VII. And be it further enacted, That it shall and may be lawful for the Lord Mayor and Aldermen of the City of *London*, at a Court to be holden for that Purpose, and they, or the Majority of them present at such Court, are hereby authorized and required to nominate and appoint some fit and proper Person to be Inspector of Corn Returns for the City of *London*; and it shall be lawful for the said Lord Mayor and Aldermen, from time to time as Occasion may require, upon any Misbehaviour or Neglect of Duty of any such Inspector, to remove him from such his Office by any Order to be by them made at a Court to be specially convened and holden for that Purpose; and upon the Death, Resignation, permanent Incapacity, or Removal of any such Inspector of Corn Returns for the City of *London*, it shall and may be lawful for the said Lord Mayor and Aldermen, at a Court to be holden for that Purpose, and they, or a Majority of them present at any such Court, are hereby authorized and required to nominate and appoint some fit and proper Person to succeed to the said Office.

Appointment
of an Inspector
for *London*.

VIII. And be it further enacted, That the said Inspector of Corn Returns for the City of *London* shall at all Times execute the Duties of such his Office in Person and not by Deputy; but that in case of the Sickness or other temporary Incapacity of the said Inspector, it shall be lawful for the said Lord Mayor and Aldermen of the City of *London* to appoint some fit and proper Person to act as the Deputy of the said Inspector during the Continuance of any such Sickness or Incapacity as aforesaid of that Officer, and no longer; and all and every the Powers hereby vested in the said Inspector of Corn Returns for the City of *London*, and all and every the Acts, Matters, and Things hereby directed to be done and performed by him, shall and may be vested in and be done and performed by any such Deputy as aforesaid, during the Continuance of such his Appointment.

Appointment
of a Deputy
Inspector for
London.

IX. And be it further enacted, That no Person shall be eligible or shall be appointed to the Office of Inspector or Deputy Inspector of Corn Returns for the City of *London*, who, within Six Months next preceding the Time of any such Appointment shall have been engaged in Trade or Business as a Miller, Maltster, or Corn Factor, or who during that Period shall, as a Merchant, Clerk, Agent, or otherwise, have bought Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof; and if any Inspector or Deputy Inspector of Corn Returns for the City of *London* shall, during his Continuance in such his

Inspector or
Deputy In-
spector for
London not to
be a Miller,
Dealer, &c.

his Office, engage in Trade or Business as a Miller, Maltster, or Corn Factor, or shall, as a Merchant, Clerk, Agent, or otherwise, buy Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof, he shall, in manner aforesaid, be removed from such his Office, and from and after the Time of such Removal shall become incapable of acting as Inspector of Corn Returns under this Act.

Inspector's
Oath.

X. And be it further enacted, That every Inspector or Deputy Inspector of Corn Returns for the City of *London*, shall, within One Week after such his Nomination and Appointment, take and subscribe, before the Lord Mayor or One of the Aldermen of the City of *London*, an Oath, which Oath the said Lord Mayor or Alderman is hereby authorized and required to administer, in the following Words; (that is to say),

‘ I *A. B.* do swear, That I will at all Times, as Inspector of Corn Returns for the City of *London* [*or, as Deputy Inspector of Corn Returns for the City of London, as the Case may be*], make due and true Returns to the Comptroller of Corn Returns appointed by virtue of an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*]; and that I will in all Things, to the best of my Skill and Judgment, conform myself to the Directions of the said Act. ‘ So help me GOD.’

Appointment
of Inspector for
London to be
enrolled.

XI. And be it further enacted, That every Nomination and Appointment so to be made as aforesaid, of any Inspector of Corn Returns for the City of *London*, shall be enrolled at the next Sessions of the Peace to be holden in and for the said City, together with a Certificate of the Oath aforesaid having been taken, such Certificate being signed by the Lord Mayor or Aldermen before whom such Oath shall have been so taken; and the said Enrolment, or a Copy thereof, certified under the Hand of the Clerk of the Peace for the said City to be a true Copy, shall, for all Intents and Purposes, be and be deemed and taken to be good and conclusive Evidence of any such Appointment as aforesaid having been duly made.

Corn Factors
in London to
make Decla-
ration to the
Lord Mayor
&c. before car-
rying on Trade.

XII. And be it further enacted, That every Person who shall carry on Trade or Business in the City of *London*, or within Five Miles from the *Royal Exchange* in the said City, as a Corn Factor, or as an Agent employed in the Sale of *British* Corn, and every Person who shall sell any *British* Corn within the present Corn Exchange in *Mark Lane* in the said City, or within any other Building or Place which now is or may hereafter be used within the City of *London*, or within Five Miles from the *Royal Exchange* in the said City, for such and the like Purposes for which the said Corn Exchange in *Mark Lane* hath been and is used, shall, before he or they shall carry on Trade or Business, or sell any Corn in manner aforesaid, make and deliver to the Lord Mayor, or One of the Aldermen of the City of *London*, a Declaration in the following Words; (that is to say),

Form of De-
claration.

‘ I *A. B.* do declare, That the Returns to be by me made conformably to an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title*]
‘ of

' of this Act] of the Quantities and Prices of *British* Corn which
 ' henceforth shall be by or for me sold or delivered, shall, to
 ' the best of my Knowledge and Belief, contain the whole Quan-
 ' tity, and no more, of the Corn *bonâ fide* sold and delivered by or
 ' for me within the Periods to which such Returns respectively
 ' shall refer, with the Prices of such Corn, and the Names of the
 ' Buyers respectively, and of the Persons for whom such Corn
 ' shall have been sold by me respectively; and to the best of my
 ' Judgment the said Return shall in all respects be conformable
 ' to the Provisions of the said Act.'

Which Declaration shall be in Writing, and shall be subscribed with the Hand of the Person so making the same; and the Lord Mayor, or such Aldermen as aforesaid of the City of *London*, for the Time being, shall and he is hereby required to deliver a Certificate thereof, under his Hand, to the Inspector of Corn Returns for the City of *London*, to be by him registered in a Book to be by him provided and kept for that Purpose.

Certificate of Declaration to be delivered to Inspector.

XIII. And be it further enacted, That every such Corn Factor and other Person as aforesaid, who is hereinbefore required to make, and who shall have made such Declaration as aforesaid, shall, and he or she is hereby required to return or cause to be returned, on *Wednesday* in each and every Week, to the Inspector of Corn Returns for the City of *London*, an Account in Writing, signed with his or her own Name, or the Name of his or her Agent duly authorized in that Behalf, of the Quantities of each respective Sort of *British* Corn by him or her sold during the Week ending on and including the next preceding *Tuesday*, with the Prices thereof, and the Amount of every Parcel, with the total Quantity and Value of each Sort of Corn, and by what Measure or Weight the same was sold, and the Names of the Buyers thereof, and of the Persons for and on behalf of whom such Corn was sold; and it shall and may be lawful for any such Inspector of Corn Returns to deliver to any Person making or tendering any such Returns, a Notice in Writing, requiring him or her to declare and set forth therein where and to whom and in what Manner any such *British* Corn was delivered to the Purchaser or Purchasers thereof; and every Person to whom any such Notice shall be so delivered shall, and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return the several Particulars aforesaid.

Corn Factor's Returns in *London*.

XIV. And be it further enacted, That the Justices of the Peace for the several and respective Counties, Ridings, or Divisions thereof, in which the several Cities and Towns hereinbefore enumerated are situate, other than and except the City of *London*, shall and they are hereby authorized and required, at some Quarter Sessions held within or nearest to each of the said several Cities and Towns, to nominate and appoint some fit and proper Person residing within or near each and every of the said Cities and Towns respectively, to be the Inspector of Corn Returns for such City or Town, and from time to time, as Occasion may require, upon the Death, Resignation, or Removal of any such Inspector of Corn Returns, to appoint a fit and proper Person to succeed to such his Office; and it shall be lawful for the said Justices of the Peace, by any Order or Orders to be by them made for

Appointment and Removal of Country Inspectors.

for that Purpose at any such Quarter Sessions, or at any Adjournment thereof, upon any Misbehaviour or Neglect of Duty of any such Inspector of Corn Returns as aforesaid, or for any other good and sufficient Cause to them appearing, to remove from such his Office any such Officer; and in case of the Sickness, Absence, or temporary Incapacity of any such Inspector of Corn Returns, it shall be lawful for any Two or more of the said Justices, at any Petty Sessions of the Peace to be holden at such City or Town, or within the County, Riding, or Division thereof in which the same is situate, to nominate and appoint a fit and proper Person to act as and be Inspector of Corn Returns for such City or Town until the next General Quarter Sessions of the Peace, to be holden as aforesaid, and no longer.

Inspectors for
exempt Juris-
dictions.

XV. Provided always, and be it further enacted, That within each and every of the Cities and Towns aforesaid (other than the City of *London*), being a County of itself, or having an exempt Jurisdiction, and not contributing to the Rates of the County, Riding, or Division in which the same is situate, the Mayor or other chief Officer, and the Justices of the Peace assembled at the General Quarter Sessions of any such City or Town, or at any Adjournment thereof, shall have, enjoy, and exercise all and every the Powers hereinbefore vested as aforesaid in the Justices of the Peace for the several and respective Counties, and Ridings or Divisions thereof, as aforesaid, assembled at their General Quarter Sessions; and such Mayor or other chief Officer shall, within such last-mentioned Cities and Towns, have, enjoy, and exercise the Powers hereinbefore vested as aforesaid in the Justices of the Peace for the said several and respective Counties, Ridings, or Divisions thereof, assembled at any Petty Sessions.

Country In-
spectors not to
be Millers,
Dealers, &c.

XVI. And be it further enacted, That no Person shall be eligible or shall be appointed to the Office of Inspector of Corn Returns under this Act, for any of the Cities and Towns aforesaid, who within Twelve Calendar Months next preceding the Time of any such Appointment hath been engaged in Trade or Business as a Miller, Maltster, or Corn Factor, or who during that Period hath, as a Merchant, Clerk, Agent, or otherwise, bought Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof; and if any Person, who shall in manner aforesaid be nominated and appointed to be the Inspector of Corn Returns for any such City or Town, shall during his Continuance in such Office engage in Trade or Business as a Miller, Maltster, or Corn Factor, or shall, as a Merchant, Clerk, Agent, or otherwise, buy Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof, he shall in manner aforesaid be removed from such his Office, and from and after the Time of such Removal shall become incapable of acting as an Inspector of Corn Returns under this Act.

Country In-
spectors to take
an Oath.

XVII. And be it further enacted, That every Person so appointed Inspector of Corn Returns for any City or Town other than the City of *London*, shall, before he enters on the Discharge of the Duties of such his Office, take and subscribe, before some One Justice of the Peace for the County, Riding, Division, City, or Town within which he shall reside, the Oath, or, being one of the People called *Quakers*, the Affirmation following (which
Oath

Oath or Affirmation all such Justices are hereby authorized and required to administer); (that is to say),

‘ I *A. B.* do swear [or affirm], That I will at all Times, as Inspector of Corn Returns for the City [or Town] of
 ‘ make due and true Returns to the Comptroller of
 ‘ Corn Returns appointed by virtue of an Act passed in the
 ‘ Eighth Year of the Reign of King George the Fourth, intituled
 ‘ [here set forth the Title of this Act] of the Quantities and Prices
 ‘ of *British* Corn in the said City [or Town] of
 ‘ according to the Accounts to be delivered to me in pursuance
 ‘ of the said Act; and that I will in all Things, to the best of my
 ‘ Skill and Judgment, conform myself to the Directions of the
 ‘ said Act.’

Form of Oath.

XVIII. And be it further enacted, That every Nomination and Appointment so to be made as aforesaid, of any Inspector of Corn Returns for any of the Cities and Towns aforesaid, other than the City of London, shall be enrolled at some Sessions of the Peace to be holden in such Cities and Towns respectively, or in the respective Counties, Ridings, or Divisions thereof, in which such Towns are situate, or at some Adjournment of such Sessions, together with a Certificate of the Oath aforesaid having been taken by such Inspector of Corn Returns, such Certificate being signed by the Justice of the Peace before whom such Oath shall have been so taken; and the said Enrolment, or a Copy thereof certified under the Hand of the Clerk of the Peace for any such City or Town, County, Riding, or Division, shall for all Intents and Purposes be and be deemed and taken to be good and conclusive Evidence of any such Appointment as aforesaid having been duly made.

Country Inspector's Appointment, with the Oath and Certificate, to be enrolled.

XIX. And be it further enacted, That every Person who shall deal in *British* Corn at or within any such City or Town as aforesaid, or who shall at or within any such City or Town engage in or carry on the Trade or Business of a Corn Factor, Miller, Maltster, Brewer, or Distiller, or who shall be the Owner or Proprietor, or Part Owner or Proprietor, of any Stage Coaches, Waggons, Carts, or other Carriages carrying Goods or Passengers for Hire, to and from any such City or Town, and each and every Person who, as a Merchant, Clerk, Agent, or otherwise, shall purchase at any such City or Town any *British* Corn for Sale, or for the Sale of Meal, Flour, Malt, or Bread made or to be made thereof, shall, before he or she shall so deal in *British* Corn at any such City or Town, or shall engage in or carry on any such Trade or Business as aforesaid, or shall purchase any *British* Corn for any such Purpose as aforesaid, at or within any such City or Town, make and deliver, in manner hereinafter mentioned, a Declaration in the following Words; (that is to say),

Corn Factors, Brewers, Carriers, &c. before carrying on Trade to make the following Declaration.

‘ I *A. B.* do hereby declare, That the Returns to be by me made conformably to the Act passed in the Eighth Year of the
 ‘ Reign of King George the Fourth, intituled [here set forth the
 ‘ Title of this Act] of the Quantities and Prices of *British* Corn
 ‘ which henceforward shall by or for me be bought, shall to the
 ‘ best of my Knowledge and Belief contain the whole Quantity,
 ‘ and no more, of the *British* Corn *bond fide* bought for or by
 ‘ me within the Periods to which such Returns respectively shall
 ‘ refer,

‘ refer, with the Prices of such Corn, and the Names of the Sellers respectively; and to the best of my Judgment the said Returns shall in all respects be conformable to the Provisions of the said Act.’

Magistrates to deliver Certificate thereof to Inspector.

Inspector empowered to require such Declaration.

Returns.

Which Declaration shall be in Writing, and shall be subscribed with the Hand of the Person so making the same, and shall by him or her, or by his or her Agent, be delivered to the Mayor or Chief Magistrate, or to some Justice of the Peace for such City or Town, or for the County, Riding, or Division in which the same is situate, who are hereby required to deliver a Certificate thereof to the Inspector of Corn Returns for any such City or Town as aforesaid, to be by him registered in a Book to be by him provided and kept for that Purpose.

XX. And be it further enacted, That it shall and may be lawful for any Inspector of Corn Returns for the City of *London*, or for any such other City or Town as aforesaid, to serve upon and deliver to any Person buying or selling Corn in any such City or Town, and who is not within the Terms and Meaning of this present Act specially required to make any such Declaration as aforesaid, a Notice in Writing under the Hand of such Inspector, requiring him to make such Declaration as aforesaid; and any Person upon whom such Notice shall be served as aforesaid shall and he is hereby required to comply with such Notice, and to make such Declaration in such and the same Manner in all respects as if he or she had been specially required to make the same by the express Provision of this present Act.

XXI. And be it further enacted, That all Persons who are hereinbefore required to make, and who shall have made such Declaration as aforesaid, shall and they are hereby required, on the first Market Day which shall be holden in each and every Week within each and every such City or Town as aforesaid, at or within which they shall respectively deal in Corn, or engage in or carry on any such Trade or Business as aforesaid, or purchase any Corn for any such Purpose as aforesaid, to return or cause to be returned to the Inspector of Corn Returns for such City or Town an Account in Writing, signed with their Names respectively, of the Amount of each and every Parcel of each respective Sort of *British* Corn so by them respectively bought during the Week ending on and including the Day next preceding such first Market Day as aforesaid, with the Price thereof, and by what Weight or Measure the same was so bought by them, with the Names of the Sellers of each of the said Parcels respectively, with the Names of the Person or Persons, if any, other than the Person making such Return, for or on account of whom the same was so bought and sold; and it shall and may be lawful for any such Inspector of Corn Returns to deliver to any Person making or tendering any such Return a Notice in Writing requiring him or her to declare and set forth therein where and by whom and in what Manner any such *British* Corn was delivered to him or her; and every Person to whom any such Notice shall be so delivered shall, and he or she is hereby required to comply therewith, and to declare and set forth in such his or her Return, or in a separate Statement in Writing, the several Particulars aforesaid.

XXII. And

XXII. And be it further enacted, That no Inspector of Corn Returns in the City of *London*, nor in any of the Towns aforesaid, shall include in the Returns so to be made by them as aforesaid to the Comptroller of Corn Returns, any Account of Sales or Purchases of Corn, unless such Inspector shall have received satisfactory Proof that the Person or Persons tendering such Account hath made the Declaration hereinbefore required, and hath delivered the same to the Mayor or Chief Magistrate, or to some Justice of the Peace of the City or Town for which such Inspector shall be so appointed to act, or to some Justice of the Peace for the County, Riding, or Division in which such City or Town is situate.

Inspector only to include such Sales as he receives a satisfactory Declaration of.

XXIII. And be it further enacted, That every such Inspector of Corn Returns for the City of *London*, and for the several other Cities and Towns aforesaid, shall duly and regularly enter in a Book to be by him provided and kept for that Purpose, the several Accounts of the Quantities and Prices of Corn returned to him by such Persons respectively as aforesaid; and every such Inspector of Corn Returns for the City of *London*, and for the several other Cities and Towns aforesaid, shall, in each and every Week, return to the Comptroller of Corn Returns an Account of the Weekly Quantities and Prices of the several Sorts of *British* Corn sold in the City or Town for which he is appointed Inspector, according to the Returns so made to him as aforesaid, and in such Form as shall be from time to time prescribed and directed by the said Comptroller of Corn Returns; and the said Returns shall be so made to the said Comptroller by the Inspector of Corn Returns for the City of *London* on *Saturday* in each Week, and by the Inspector of Corn Returns for the several other Cities and Towns as aforesaid within Three Days next after the first Market Day holden in each and every Week in any such City or Town.

Inspector's Returns.

XXIV. And for the Purpose of ascertaining the aggregate Average Prices of *British* Corn by which the Admission of Foreign Corn for Home Consumption into the United Kingdom from Parts beyond the Seas is to be regulated, be it further enacted, That the Average Prices of all *British* Corn, by which the Importation of all Foreign Corn, Meal, or Flour, for Home Consumption, shall in future be regulated, shall be made up and computed at Four Quarterly Periods in each and every Year, in manner following; (that is to say), the said Receiver of Corn Returns shall, within Seven Days after the Fifteenth Day of *February*, the Fifteenth Day of *May*, the Fifteenth Day of *August*, and the Fifteenth Day of *November*, in each Year, add together the Total Quantities of each Sort of *British* Corn, and also the Total Prices for which the same were sold, as shall appear from the Returns received by the said Receiver of Corn Returns in the Six last Weeks immediately preceding the said Fifteenth Day of *February*, Fifteenth Day of *May*, Fifteenth Day of *August*, Fifteenth Day of *November*, in each Year, and shall divide the said Total Prices by the said Total Quantities of each respective Sort of Corn, and the Sum produced thereby shall be deemed and taken to be the aggregate Average Price of each such Sort of Corn in and for the Six Weeks immediately preceding.

Mode of ascertaining Average Prices.

ceding the above-mentioned Periods respectively, by which the Importation of Foreign Corn, Meal, and Flour, for Home Consumption, or the taking out the same from the Warehouse, for Home Consumption, shall be governed and regulated in the United Kingdom.

Average Prices to be published in Gazette and transmitted to Officers of Customs.

XXV. And be it further enacted, That the said Receiver of Corn Returns shall enter the said Accounts of the aggregate Average Prices of each Sort of *British* Corn in a Book, as soon as he shall have made up and computed the same in the Manner hereinbefore directed, and shall at the same Time cause the same to be published in the *London Gazette*, and shall transmit a Certificate thereof to the Collector or Chief Officer of the Customs at each of the several Ports of *Great Britain*, and to the Commissioners of Customs in *Ireland*, who are hereby required forthwith to transmit Copies thereof to the Collectors or other Chief Officers of the Customs in the several Ports in *Ireland*; and the Importation of each Sort of Foreign Corn, Meal and Flour, for Home Consumption in the United Kingdom, and the taking the same out of Warehouse for the Purpose of being so consumed, shall be governed and regulated by the said aggregate Average Prices, until new Average Prices shall, under the Provisions of the said above-recited Act of the Fifty fifth Year of His said late Majesty, or under the Provisions of this Act, be made up and computed, and a Certificate thereof be received by such Collectors or other Chief Officers.

For Two Weeks after the passing of this Act the Duties shall be regulated according to recited Act.

XXVI. Provided always, and be it further enacted, That for the Space of Two Weeks next after the passing of this present Act the Amount of the Duties payable to His Majesty upon Corn imported into the United Kingdom from Parts beyond the Seas shall be regulated by the last aggregate Average Price of *British* Corn which shall have been made up and published under and in pursuance of the Act so passed as aforesaid in the First and Second Year of His Majesty's Reign.

The present Inspectors, &c. to perform their Duties until Appointments under this Act.

XXVII. And Whereas some Time must necessarily elapse after this Act shall have come into operation before Inspectors of Corn Returns for the City of *London*, and the several other Cities and Towns aforesaid, can be appointed by virtue of this Act; Be it further enacted, That each and every Inspector of Corn Returns, or other Person who, at or immediately before the Time when this Act shall come into operation, shall hold an Appointment as Inspector of Corn Returns, or any other Appointment under and by virtue of the Act so passed as aforesaid in the First and Second Year of His Majesty's Reign, or who shall be discharging any Duties required of him by such last-mentioned Act, shall and he is hereby authorized and required forthwith to act as Inspector of Corn Returns under and by virtue of this present Act, and to discharge the several Duties of and belonging to such his former Appointment, in such and the same Manner, and as fully and effectually, to all Intents and Purposes, as if he had been appointed to be such Inspector of Corn Returns, or had held any such other Appointment as aforesaid under and by virtue of this present Act, until a new Inspector of Corn Returns shall be appointed, and until he or some other Person shall be nominated under this present Act to perform and discharge the Duties theretofore performed and discharged

charged by him: Provided always, that the Person appointed to act as Inspector of Corn Returns for the City of *London*, by virtue of the Act so passed as aforesaid in the First and Second Year of His Majesty's Reign, shall, without further Appointment, continue to act as such Inspector under this Act until he shall die, or resign such his Office, or be removed therefrom by the Lord Mayor and Aldermen of the City of *London*, in manner aforesaid.

Proviso for Inspector for *London*.

XXVIII. Provided always, and be it further enacted, That if the said Comptroller of Corn Returns shall at any Time see Cause to believe that any Return so to be made as aforesaid to any such Inspector of Corn Returns for the City of *London*, or for any other such City or Town as aforesaid, is fraudulent or untrue, the said Comptroller shall and he is hereby required, with all convenient Expedition, to lay before the Lords of the said Committee of Privy Council a Statement of the Grounds of such his Belief; and if, upon Consideration of any such Statement, the said Lords of the said Committee shall direct the said Comptroller to omit any such Return in the Computation of such aggregate Weekly Average Price as aforesaid, then and in that Case, but not otherwise, the said Comptroller of Corn Returns shall and he is hereby authorized to omit any such Return in the Computation of such aggregate Weekly Average Price

Duty of Comptroller as to untrue Returns.

XXIX. And Whereas some Time must necessarily elapse after this Act shall come into Operation before such Corn Factors, Dealers, and other Persons as aforesaid, can make the several Declarations hereinbefore required to be made by them; Be it therefore enacted, That any Corn Factor, Dealer, or other Person, who, at or previously to the Time when this present Act shall come into Operation, shall have made the Declaration required of him in and by the said Act so passed as aforesaid in the First and Second Year of His Majesty's Reign, shall and he or she is hereby required forthwith to make all such Returns to such several Inspectors of Corn Returns as aforesaid, and to perform and do all such Acts, Matters, and Things, and to comply with and observe all such Rules and Regulations as are hereby required or directed of or in regard to Persons who have made any Declaration required of them in and by the present Act, although he or she may not have actually made such last-mentioned Declaration.

Corn Factors who have made former Declarations to comply with Provisions of this Act.

XXX. And be it further enacted, That the Comptroller of Corn Returns shall and he is hereby authorized from time to time, in pursuance of any Instructions which he shall receive in that Behalf from the Lords of the said Committee of Privy Council, to issue to the several Inspectors of Corn Returns any general or special Directions respecting the Inspection by any Person or Persons of the Books so directed as aforesaid to be kept by every such Inspector of Corn Returns; and no such Inspector as aforesaid shall permit or suffer any Person to inspect any such Book, or to peruse or transcribe any Entry therein, except in compliance with some such general or special Directions from the said Comptroller of Corn Returns as aforesaid.

Inspector's Books to be examined by Order of the Privy Council, but not otherwise.

XXXI. And be it further enacted, That each and every Inspector of Corn Returns shall and he is hereby required on each and every Market Day to put up or cause to be put up in the

A Copy of the Inspector's Return to be put up in the Market Place.

the Market Place or the City or Town for which he shall be appointed Inspector, or if there shall be no Market Place in such City or Town, then in some other conspicuous Place therein, a Copy of the last Return made by him to the Comptroller of Corn Returns, omitting the Names of the Parties who may have sold and bought the said Corn; and every such Inspector shall also again put up such Account on the Market Day immediately following that on which it shall first have been put up, in case the same shall from Accident or any other Cause have been removed, and shall take due Care that the same shall remain up for Public Inspection until a new Account for the ensuing Week shall have been prepared and set up.

Salaries of Inspectors.

XXXII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, by any Warrant or Warrants to be for that Purpose from time to time made and issued, to settle and allow such reasonable and moderate Salaries as shall be paid and payable to the said several Inspectors of Corn Returns for the City of *London*, and for the several other Cities and Towns aforesaid, for and in consideration of the Duties so to be performed by them; provided that the Salary so to be allowed to the Inspector of Corn Returns in and for the City of *London* shall not in any One Year exceed the Sum of Three hundred Pounds, in consideration of which Salary he shall and is hereby required to keep and maintain a proper and convenient Apartment or Place of Business at or near to the said Corn Exchange in *Mark Lane*, for transacting the Duties of such his Office, and to defray all incidental Charges and Expences of and attendant upon such his Office: Provided also, that the Salary to be granted to any Inspector of Corn Returns of any other of the Cities and Towns aforesaid shall not exceed Fifty Pounds in any One Year for such Inspector.

Regulations as to Payment of Salaries.

XXXIII. And be it further enacted, That the Salaries aforesaid shall be paid by the Collector or other Chief Officer of the Customs or of the Excise in or for the City or Town for which each and every of the said Inspectors respectively may be so appointed, by Four equal quarterly Payments; provided that no such quarterly Payments aforesaid shall be made, unless the Inspector of Corn Returns claiming the same shall first produce and deliver to such Collector or other Chief Officer of the Customs or Excise, a Certificate under the Hand of the Comptroller of Corn Returns, certifying that such Inspector hath duly made the Returns required of him by this present Act, during the Period in respect of which any such Payment is to be made, and which Certificate such Comptroller is hereby required, on the Application of any such Inspector as aforesaid, to grant, unless any such Inspector shall, without good and sufficient Cause, have neglected or omitted to make such Returns as aforesaid, or some of them: Provided also, that if the Duties of the said Office of Inspector of Corn Returns for the City of *London* shall, during any such Quarter of a Year as aforesaid, have been discharged wholly or in part by a Deputy, the Comptroller of Corn Returns shall, in such Certificate as aforesaid, specify the Length of Time during which such Deputy hath so acted, and the Whole,

or a proportionate Part, as the Case may be, of any such quarterly Payment shall in that Case be paid to the said Deputy; and if the Duties of Inspector of Corn Returns for any other of the Cities and Towns aforesaid shall during any such Quarter of a Year be performed successively by Two or more Persons, the Comptroller of Corn Returns shall in like Manner specify the Length of Time during which each such Person hath so performed the said Duties, and a proportionate Part of any such quarterly Payment shall in that case be paid to the several Persons respectively performing the said Duties.

XXXIV. And be it further enacted, That if any Person who is hereby required to make and deliver the Declaration hereinbefore particularly mentioned and set forth, or either of them, shall not make and deliver such Declaration or Declarations at the Time, and in the Form and Manner, and to the Person or Persons hereinbefore directed and prescribed in that Behalf, every Person so offending shall forfeit and pay the Sum of Fifty Pounds for each and every Calendar Month during which he shall neglect or delay to make and deliver any such Declaration; and if any Person who is hereinbefore required to make any Return to any such Inspector of Corn Returns as aforesaid, shall not make such Return to such Inspector at the Time and in the Form and Manner hereinbefore directed and prescribed, every such Offender shall, for such his Offence, forfeit and pay the Sum of Thirty Pounds; and if any Person shall make any false and fraudulent Statement in any such Return, or shall include or procure or cause to be included in any such Return any *British* Corn which was not truly and *bonâ fide* sold and delivered, or bought and delivered to, by, or on behalf of the Person or Persons in any such Return mentioned in that Behalf, in the Quantity and for the Price therein stated and set forth, every such Offender shall for such his Offence, forfeit and pay a Sum not less than Fifty Pounds nor more than Five hundred Pounds.

XXXV. And be it further enacted, That all and every the Penalties and Forfeitures aforesaid shall and may be prosecuted, sued for, recovered, and applied by such Persons, and in such and the same Manner in all respects as any Penalties or Forfeitures incurred, or which may be incurred, under a certain Act passed in the Sixth Year of His Majesty's Reign, intituled *An Act for the general Regulation of the Customs*.

XXXVI. And be it further enacted, That all and every the Penalties aforesaid, not exceeding the Sum of Fifty Pounds, shall and may be prosecuted, sued for, and recovered by and to the Use of any Person who will sue for the same, before any Two Justices of the Peace acting in and for the City, Town, County, Riding, or Division within which the Offence shall have been committed; and upon Conviction of any such Offender before any such Justices of the Peace, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justices are in every such Case hereby fully authorized to administer), the Amount of such Penalties and Forfeitures shall be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by

Penalties.

Penalties above mentioned may be sued for in like Manner as under 6 G. 4. c. 107.

Recovery of Penalties under 50l.

Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the City, Town, County, Riding, or Division where the Offender shall be or reside, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Mitigation of Penalties.

XXXVII. Provided always, and be it enacted, That it shall and may be lawful for any Justice or Justices of the Peace before whom any Person shall be convicted of any Offence against this Act, if he or they shall think proper, to mitigate or reduce the Penalty incurred by such Person, so as such Reduction or Mitigation do not exceed Two Thirds of the Penalty to which such Person would be liable under this Act.

Compelling the Attendance of Witnesses.

XXXVIII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justices of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or of the Person or Persons accused, shall, after a reasonable Sum of Money for his or her Charges and Expences shall have been paid or been tendered to him or her, refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for his, her, or their Neglect, or appearing shall refuse to be examined on Oath and give Evidence before such Justice of the Peace, then and in either of such Cases such Person shall forfeit for every such Offence any Sum not exceeding Ten Pounds, to be recovered in the Manner hereinbefore provided for the Recovery of the several Penalties aforesaid.

Corn to be measured as heretofore.

XXXIX. And be it further enacted, That nothing in this Act contained shall extend to alter the present Practice of measuring Corn, or any of the Articles aforesaid, to be shipped from or to be landed in the Port of London, but that the same shall be measured

sured by the sworn Meters appointed for that Purpose, by whose Certificate the Searchers or other Proper Officers of His Majesty's Customs are hereby empowered and required to certify the Quantity of Corn or other Articles as aforesaid so shipped or landed; and that nothing in this Act contained shall extend to lessen or take away the Rights and Privileges of, or the Tolls or Duties due and payable to the Mayor and Commonalty and Citizens of the City of *London*, or to the Mayor of the said City for the Time being, or to take away the Privileges of any Persons lawfully deriving Title from or under them.

Proviso for Rights of the City of London.

XL. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing by him, her, or them done by virtue or in pursuance of this Act, such Action or Suit shall be commenced within Three Months next after the Matter or Thing done, and shall be laid in the proper County, and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her, or them against such Plaintiff or Plaintiffs.

Limitation of Actions.

XLI. Provided always, That all Corn or Grain, the Produce of the United Kingdom, shall be deemed and taken to be *British* Corn for the Purposes of this Act.

What shall be deemed British Corn.

XLII. And be it further enacted, That for the Purpose of ascertaining the Average Price of Corn and Grain sold within the United Kingdom of *Great Britain and Ireland*, it shall and may be lawful for His Majesty, by any Order or Orders to be by him made by and with the Advice of His Privy Council, to direct that the Provisions of this Act, so far as regards the Appointment of Inspectors and the making of Weekly Returns, shall be applicable to any Cities or Towns within the United Kingdom of *Great Britain and Ireland* which shall be named in any such Order or Orders in Council: Provided always, that the Returns so received from such Towns shall not be admitted into the Averages made up for the Purpose of regulating the bringing into Home Consumption Foreign Corn, Grain, Meal, or Flour.

Provisions of this Act, as to making Weekly Returns, may be applied to any Town in the United Kingdom.

Proviso.

C A P. LIX.

An Act for further amending the Laws for the Recovery of Small Debts, and the Proceedings for that Purpose, in the Manor Courts in *Ireland*. [2d July 1827.]

‘WHEREAS an Act was made in the last Session of Parliament, intituled *An Act to amend the Laws for the Recovery of Small Debts, and the Proceedings for that Purpose, in the Manor Courts of Ireland*; and it is expedient that the said Act should be amended and rendered more effectual;’ Be it therefore enacted by the King's most Excellent Majesty, by

7 G. 4. c. 41.

Where the Debt exceeds 10*l*. but does not exceed 100*l*. the Sum-

mons shall be served Seven Days before the Day of Appearance, and Fourteen Days if the Debt exceeds 100*l*.

Appearance.

Service of Summons.

Where Sum recovered shall not exceed 40*s*.

Jury may examine the Parties, and apportion the Payment by Instalments.

and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases where the Sum sought to be recovered under the said Act shall exceed Ten Pounds, and shall not exceed the Sum of One hundred Pounds, the Summons or Process which shall be issued in the Name of the Steward or Seneschal of the Manor Court, to the Person or Persons complained against, shall be served upon such Person or Persons upon some Day not less than Seven Days before the Day appointed for the Appearance of such Person or Persons ; and that in all Cases where the Sums sought to be recovered shall exceed One hundred Pounds, every such Summons or Process shall be served upon the Person or Persons complained against, upon some Day not less than Fourteen Days before the Day appointed for the Appearance of such Person or Persons ; and that in either of such Cases any Person or Persons so complained against shall and may be required by such Summons to appear at any Court to be holden by such Seneschal or Steward within such Manor on any such Day, to be named in such Summons, as shall be at a sufficient Distance from the Date of such Summons as to allow for such Service ; and every such Summons shall be served by the Deliverer of such Summons to the Person or Persons summoned, or by leaving such Summons at the usual Place of Abode of such Person or Persons ; and if any such Summons shall not in the several Cases be served according to the Directions of this Act, the same shall be and become null and void to all Intents and Purposes.

II. And be it further enacted, That in all Cases where the Sum sued for, or for which a Verdict shall be given in any Manor Court, shall not exceed the Sum of Forty Shillings, it shall and may be lawful for the Court and Jury to examine the Plaintiff and Defendant, or either of them, upon Oath, if they shall think proper so to do ; and it shall also be lawful for the Jury in and by their Verdict to direct that Payment of the Sum for which their Verdict shall be given, shall be made by the Defendant with or without the Costs, by such weekly or monthly Instalments, or in such Proportions, and within such Time, not exceeding Three Calendar Months, as such Jury shall think fitting and convenient ; and in such Cases it shall be lawful for the Seneschal or Steward of any such Court to stay the issuing of the Decree for any Space of Time not more than Three Calendar Months, provided the Defendant shall undertake to pay the Amount of the Sum for which such Verdict shall be given, with the Costs (if any), by such Instalments or in such Proportions as shall be directed by the Verdict of such Jury ; and such Decree shall be stayed accordingly, until Default be made by the Defendant in the Payment of some One Instalment, and shall then only issue for the Balance due, with such Costs as such Seneschal or Steward shall think fitting.

‘ III. And Whereas by an Act made in the Parliament of *Ireland*, in the Twenty fifth Year of the Reign of His late Majesty ‘ King *George* the Third, for the more speedy and easy Recovery ‘ of Small Debts in the Manor Courts in *Ireland*, it is among other ‘ Things enacted, that the Seneschal or Steward of any such ‘ Court

' Court shall issue Execution on Verdicts and Decrees in such
' Courts returnable on the next Court Day ; and that no Renewal
' of any Execution shall be granted in any Case where an Execu-
' tion shall be obtained, and not executed, unless it shall first
' appear to such Seneschal or Steward, on Oath, that the Party
' applying for such Renewal had really and truly used legal and
' necessary Diligence in order to have such former Execution
' executed ; Be it enacted, That from and after the passing of
this Act it shall be lawful for the Seneschal or Steward of any
such Court to issue Execution on any Verdict or Decree, return-
able at any Court Day after the Verdict or Decree given or made ;
and also to issue or grant any Renewal of any Execution, in any
Case where such Renewal shall appear to such Seneschal or Stew-
ard to be requisite for obtaining Justice to the Party on whose
Behalf such Renewal shall be applied for.

Execution may
be issued on
Verdict, return-
able on any
Court Day, and
may be renewed
if requisite.

IV. And be it further enacted, That it shall and may be lawful
for the Seneschal or Steward of any Manor Court, upon Applica-
tion of either of the Parties in any Action, to postpone or defer
the Trial of the Cause until the next or any subsequent Court
Day after such Application shall be made, if he shall think fit in
his Discretion so to do ; and that in all Cases where the Sum sued
for shall exceed Ten Pounds, the Trial shall not take place until
the Court Day next after the Court Day appointed for the Appear-
ance of the Defendant upon the original Summons in such Action.

Trial may be
deferred.

Trials in
Cases above
10l.

V. And be it further enacted, That from and after the passing
of this Act the several Fees and Sums following shall and may be
paid by and taken from any Person suing or being sued in any
Manor Court in *Ireland* having Jurisdiction to hold Places to the
Amount of Thirty Pounds or upwards, in addition to the Fees
specified in the said recited Act of the Twenty fifth Year of His
late Majesty ; that is to say, To the Registrar of any Manor
Court, where such Officer is created by the Charter of such Ma-
nors respectively, on the taking out of any Summons, where the
Sum in demand shall not exceed Ten Pounds, the Sum of One
Shilling ; where such Sum shall exceed Ten Pounds and shall not
exceed One hundred Pounds, the Sum of Two Shillings ; and
where such Sum shall exceed One hundred Pounds, the Sum of
Three Shillings, and no more : To the Seneschal or Steward of
any Manor Court, upon the making of any Decree, where the Sum
recovered shall not exceed Ten Pounds, the Sum of Two Shil-
lings ; where such Sum shall exceed Ten Pounds and shall not
exceed One hundred Pounds, the Sum of Three Shillings ; and
where such Sum shall exceed One hundred Pounds, the Sum of
Four Shillings, and no more.

Fees to Regis-
trar on Sum-
mons ;

and to Steward
on Decree.

VI. Provided always, and be it further enacted, That in Cases
where the Jurisdiction of any Manor Court or Courts, with respect
to the Recovery of any Sum or Sums of Money, shall not be
limited to any specific Amount by the Grants or Charters or
other Authority under which any such Court or Courts may be
respectively held, it shall and may be lawful for such Court or
Courts, and for the Seneschal, Steward, and Registrar of any such
Court or Courts, to proceed for the Recovery of any Sum or Sums
of Money exceeding Ten Pounds, in such Manner and Method,
and by such Process, as such Court, or the Seneschal or Steward

Manor Courts
having unlim-
ited Juris-
diction as to
Debts, may
proceed in
Cases exceed-
ing 10l. as
under their
ancient Juris-
diction.

or

or Registrar and other Officers of such Court, might have done at any Time before the passing of the said recited Act of the last Session of Parliament; and in such Case it shall be lawful for the Seneschal or Steward and for the Registrar of such Court to receive and take such Fees as were lawfully payable under such Grants or Charters, or otherwise, at any Time before the passing of the said Act; any thing in the said Act to the contrary in any-wise notwithstanding.

Weekly Payments, not exceeding 2s. 6d. to be paid to Debtors in Custody for less than 10^l.

VII. And be it further enacted, That in all Cases where any Person shall be confined or detained in any Prison at the Suit of any Creditor or Creditors in any Manor Court for any Debt less than the Sum of Ten Pounds, it shall be lawful for the Seneschal or Steward of such Court, on the Application of such Debtor, in case such Seneschal or Steward shall think right under the Circumstances of the Case so to do, to order that the Creditor or Creditors at whose Suit such Debtor shall be confined or imprisoned shall pay to such Debtor such Sum or Sums, not exceeding the Rate of Two Shillings and Sixpence by the Week in the whole, at such Times and in such Manner as such Seneschal or Steward shall direct; and that on failure of Payment thereof, as directed by such Seneschal or Steward, such Debtor shall be forthwith discharged from Custody at the Suit of the Creditor or Creditors failing to pay the same.

C A P. LX.

An Act to amend the Acts for the establishing of Compositions for Tithes in *Ireland*. [2d July 1827.]

4 G. 4. c. 99.
amended by
5 G. 4. c. 63.

† Sic.

Appeals against Assessments or Applotments shall be made to the next Quarter Sessions after the Applotment, if

‘ WHEREAS an Act was passed in the Fourth Year of the
‘ Reign of His present Majesty, intituled *An Act to provide*
‘ *for the establishing of Compositions for Tithes in Ireland for a*
‘ *limited Time*, and which was amended by an Act passed in the
‘ Fifth Year of the Reign of His present Majesty; and the said
‘ Acts required † to be further amended in certain Particulars:
‘ And Whereas by the said first-recited Act it is among other
‘ things enacted, that it shall be lawful for any Person aggrieved
‘ by or dissatisfied with the Rate or Sum at which any Land shall
‘ be assessed in any Assessment or Applotment in any Parish
‘ under the said Act, as compared with the Rate or Amount payable in respect of any other Land in the same Parish under such
‘ Assessment or Applotment, to appeal to the Justices of the
‘ Peace at the General Quarter Sessions of the Peace in Manner
‘ in the said Act mentioned;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every such Appeal shall be made to the Justices of the Peace at their General or Quarter Sessions of the Peace for the County or Place in which such Parish shall be situate, or any Adjournment thereof, to be holden next after the Completion of such Applotment, if there be sufficient Time to give such Notice as is required by the said Act in Cases of such Appeal; and for want of sufficient Time for giving such Notice previous to the Quarter
Sessions

Sessions next after the Completion of such Applotment, then such Appeal (after such Notice and under such Recognizance as in and by the said Act are required) may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place next after the Completion of such Applotment; and such Appeal against such Assessment or Applotment shall not be made at any other subsequent Sessions; any thing in the said recited Acts to the contrary notwithstanding.

‘ II. And Whereas by the said recited Act of the Fourth Year of His present Majesty’s Reign it is among other Things provided and enacted, that an Appeal may be made to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in Council, against the Certificate of any Commissioners or Umpire under the said recited Act; and that it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of His Majesty’s Privy Council in *Ireland*, to hear and determine such Appeal in the Cases and in Manner in the said Act mentioned: And Whereas such Appeals do often involve the Rights or Title of Parties to the Possession or Occupation of Lands and Tenements, and Doubts have arisen whether the Decision of the Lord Lieutenant in Council on such Appeal is not to all Intents and Purposes conclusive as to such Rights or Title;’ Be it therefore enacted, That in every Case of Appeal in which the Rights or Title of any Party to the Possession or Occupation of any Lands or Tenements shall be involved, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty’s Privy Council in *Ireland*, to decide and determine upon such Appeal, and to ascertain and determine the Rights or Title of any such Party, so far only as may relate to the Payment of any Composition for Tithes for the Term of Twenty one Years under the said recited Acts, or until such Right of Property shall be determined by any competent Tribunal or Court of Justice, but not any further, nor to any other Purpose; or it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors, by and with the Advice of His Majesty’s Privy Council, to direct an Issue to be tried in any One of His Majesty’s Courts of Record in *Dublin*, for the Ascertainment of the Right or Title of any such Party to any Lands or Tenements as aforesaid.

III. And be it further enacted, That on the Hearing and Decision of any Appeal against the Certificate of any Commissioners or Umpire under the said recited Act of the Fourth Year of His present Majesty’s Reign, it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with the Advice of His Majesty’s Privy Council, to adjudicate and direct the Payment of any Costs to or by any of the Parties appealing or appealed against, in such Manner and to such Amount as shall seem fitting and expedient to such Lord Lieutenant or other Chief Governor or Governors and Privy Council.

‘ IV. And Whereas in and by the said recited Act of the Fifth Year of His Majesty’s Reign it is among other Things enacted, that in the Assessment and Applotment of any Composition for Tithes no Public Road or Highway, nor any Canal or Inland

Time for Notice; or otherwise to the Second Quarter Sessions.

On Appeal to Privy Council, they may decide on Right of Property, so far as relates to the Tithe Composition for 21 Years, or direct an Issue for ascertaining the Title.

On Decision of any Appeal, the Privy Council may direct the Payment of Costs.

Navigation, nor any waste or uncultivated Land on the Sides of any such Road, Highway, Canal, or Inland Navigation, shall be assessed or charged to the raising of any Part of the Sum or Sums to be raised by such Assessment or Applotment; and that if any Assessment or Applotment had been made at any Time before the said Act, whereby any such Road, Highway, Canal, or Navigation, or any such waste or uncultivated Land, had been assessed or charged to any such Composition, such Assessment and Applotment should, as to such Road, Highway, Canal, or Navigation, and waste or uncultivated Land, cease and determine, and be no longer paid or payable; and it is expedient that further Provision should be made relating to such Assessments and Applotments: Be it enacted, That every such Assessment or Applotment, which shall have been made at any Time before the passing of the said recited Act of the Fifth Year aforesaid, shall remain good, valid, and effectual; and that every Road, Highway, or Canal, or Inland Navigation, and all waste or uncultivated Land on the Sides of any such Road, Highway, Canal, or Inland Navigation, which shall have been subjected to such Assessment or Applotment before the passing of the said recited Act of the Fifth Year aforesaid, shall remain and continue liable to such Assessment and Applotment until a new or additional Assessment and Applotment shall be made within such Parish, pursuant to the Directions hereinafter contained; any thing in the said recited Act of the said Fifth Year to the contrary in anywise notwithstanding.

Roads, &c. assessed before the passing of Act shall continue so until a new Assessment shall be made under this Act.

Where Roads &c. have been assessed, Parties interested may apply to Assistant Barrister at Sessions, who may alter the Assessment.

V. And be it further enacted, That in all Cases where any Assessment and Applotment of any Composition for Tithes shall have been made at any Time before the passing of the said recited Act of the Fifth Year aforesaid, whereby any such Road, Highway, Canal, or Navigation, or any such waste or uncultivated Land as aforesaid, shall have been assessed or charged to any Composition for Tithes, it shall and may be lawful for any Person or Persons interested in any such Road, Highway, Canal, or Navigation, or in any other waste or uncultivated Land, or for any Incumbent or other Person entitled to such Composition, to apply to the Assistant Barrister at any Sessions to be holden for the County in which the Parish shall be situate in which such Assessment and Applotment shall be made, to revise such Assessment and Applotment, and to make a Re-assessment and Applotment of such Composition, in Manner hereinafter mentioned; and thereupon it shall be lawful for such Assistant Barrister to call for the Book in which such Assessment and Applotment shall be entered, and such Book shall be produced to such Assistant Barrister by the Person or Persons in whose Custody the same shall be; and it shall be lawful for such Assistant Barrister to alter and amend the Assessment and Applotment contained in such Book, by striking out any Assessment and Applotment made in respect of any such Road, Highway, Canal, or Navigation, or any such waste or uncultivated Land as aforesaid, and by adding to the Amount of the several Assessments and Applotments made in respect of the other Lands within the said Parish, according to their several Proportions, so much as shall be sufficient to make such Assessment and Applotment equal to the full Amount of the whole Composition

position for Tithe payable within the said Parish according to the original Certificate of such Amount; and such Book so altered and amended shall be signed by such Assistant Barrister with his Name and the Date when such Alteration shall be made; and such Book so altered and amended shall thenceforth be Evidence of the just and true Amount of Composition to be paid for Tithe within the said Parish by the Holders of any Portion of Land within the same.

C A P. LXI.

An Act to amend the Laws for the Regulation of the Butter Trade in *Ireland*. [2d July 1827.]

‘ **W**HEREAS by an Act passed in the Fifty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for the better Regulation of the Butter Trade in Ireland*, it is amongst other Things enacted, that Public Weighmasters, or Joint Public Weighmasters and Tasters of Butter, shall, in manner therein mentioned, be appointed in and for every City, Town Corporate, Place of Export, or Market Town in *Ireland*, from which Butter is commonly shipped for Exportation, or wherein Butter is bought or sold, or exposed to Sale, for the Purpose of Trade; and that all and every Cask or Casks of Butter which shall be brought into any City or Liberties thereof, Town Corporate, Sea-port or Place of Export, or Market Town, for Sale or for Exportation, shall, before the same is sold or exposed to Sale in or exported from such City or Liberties thereof, Town Corporate, Sea-port or Place of Export, or Market Town, be brought to some One of the Weigh-houses in the said Act mentioned, there to be tasted, weighed, and proved, in manner required by the said Act, by the said Weighmaster or Weighmasters, Taster or Tasters of such City, Town Corporate, Sea-port or Place of Export, or Market Town, as the Case may happen to be, his or their Deputy or Deputies, who is and are by the said Act required strictly, according to their respective Offices, to inspect the same, and before he or they mark or brand or approve the same, to see that such Butter be merchantable: And Whereas it is expedient to alter and amend the said Act in manner hereinafter provided; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as relates to the Appointment of Tasters of Butter in any City, Town Corporate, or Market Town in *Ireland*, not being a Sea-port or Place of Export, and as relates to the Duties to be performed by such Tasters of Butter in any such City, Town Corporate, or Market Town, not being a Sea-port or Place of Export, and as relates to the tasting and proving Casks of Butter within any such City, Town Corporate, Borough, or Market Town as aforesaid, not being a Sea-port or Place of Export, shall be and the same is hereby repealed.

52 G. 3. c. 134.

So much of recited Act as relates to the tasting of Butter in any City or Town, not being a Sea-port, repealed.

II. And

Butter brought
to Dublin for
Shipment.

II. And be it further enacted, That nothing in the said recited Act (or in any former Act) contained shall extend to oblige the Proprietor of any Butter conveyed to the City of *Dublin* for Shipment there, to subject such Butter to Inspection and Branding in the City of *Dublin*, unless such Butter be sold or exposed for Sale in the said City.

Penalty on
altering, coun-
terfeiting, or
erasing Marks
on Brands.

III. And be it further enacted, That if any Person or Persons shall counterfeit or alter, or cause to be counterfeited or altered, any Brands or Marks directed or allowed to be branded or made on any Cask or Casks, or any Cask or Casks of Butter, and if any Person shall wilfully erase, efface, or obliterate, or cause to be erased, effaced, or obliterated, any Brand or Mark by the said recited Act, or by any other Act in force in *Ireland* for regulating the Butter Trade, directed or allowed to be branded or marked on any such Cask or Casks of Butter, he or they shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds.

Penalty on
Weighmaster
offending.

IV. And be it further enacted, That if any Weighmaster or Inspector, or any Deputy Weighmaster or Deputy Inspector, who has been or who shall hereafter be appointed under the Authority of the said recited Act, or of any other Act in force in *Ireland* for regulating the Butter Trade, shall do any Act, or shall require the Buyers or Sellers of Butter to do any thing contrary to the Provisions of any of the said Acts, or shall demand any Fee or any greater Fee than such Fees as are provided to be paid by the said Acts, he or they shall forfeit for every such Offence any Sum not exceeding Ten Pounds nor less than Five Pounds.

Powers of
former Acts to
be used for
recovering
Penalties of
this Act.

V. And be it further enacted, That all or any of the Powers or Remedies by the said Act or Acts given or provided for the Recovery of any Penalty imposed by the said Act or Acts, shall and may be used and applied for the Recovery of any Penalty by this Act imposed, as fully and effectually, to all Intents and Purposes, as if the Penalties hereby imposed had been imposed by the said Act or Acts.

C A P. LXII.

An Act to authorize the Sale of a Part of the Clergy Reserves in the Provinces of *Upper* and *Lower* Canada.

[2d July 1827.]

51 G. 3. c. 31.

‘ WHEREAS by an Act passed in the Thirty first Year of the
‘ Reign of His late Majesty King *George* the Third, intituled
‘ *An Act to repeal certain Parts of an Act passed in the Fourteenth*
‘ *Year of His Majesty’s Reign, intituled ‘ An Act for making more*
‘ *effectual Provision for the Government of the Province of Quebec*
‘ *in North America, and to make further Provision for the Govern-*
‘ *ment of the said Province,*’ it is amongst other Things enacted,
‘ that it shall and may be lawful for His Majesty, His Heirs, or
‘ Successors, to authorize the Governor or Lieutenant Governor
‘ of each of the Provinces of *Upper* Canada and *Lower* Canada
‘ respectively, or the Person administering the Government
‘ therein, to make, from and out of the Lands of the Crown within
‘ such Provinces, such Allotment and Appropriation of Lands as
‘ therein

therein mentioned, for the Support and Maintenance of a Protestant Clergy within the same; and it was further enacted, that all and every the Rents, Profits, or Emoluments which might at any Time arise from such Lands so allotted and appropriated as aforesaid, should be applicable solely for the Maintenance and Support of a Protestant Clergy, within the Province in which the same should be situated, and to no other Purpose whatever: And Whereas in pursuance of the said Act such Allotments and Appropriation of Land as aforesaid have from time to time been reserved for the Purposes therein mentioned; which Lands are known within the said Provinces by the Name of *The Clergy Reserves*: And Whereas the said Clergy Reserves have in great Part remained waste and unproductive, from the Want of Capital to be employed in the Cultivation thereof; and it is expedient to authorize the Sale of certain Parts of such Clergy Reserves, to the Intent that the Monies arising from such Sale may be employed in the Improvement of the remaining Part of the said Clergy Reserves, or otherwise, for the Purposes for which the said Lands are so reserved as aforesaid; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Governor and Lieutenant Governor, or Officer administering the Government of the said Provinces, or either of them, with the Consent of the Executive Council appointed within such Province for the Affairs thereof, in pursuance of any Instructions which may be issued to such Governor, Lieutenant Governor, or other Officer as aforesaid, by His Majesty, through One of His Principal Secretaries of State, to sell, alienate, and convey, in Fee Simple, or for any less Estate or Interest, a Part of the said Clergy Reserves in each of the said Provinces (not exceeding in either Province One Fourth of the Reserves within such Province), upon, under, and subject to such Conditions, Provisoes, and Regulations as His Majesty, by any such Instructions as aforesaid, shall be pleased to direct and appoint: Provided nevertheless, that the Quantity of the said Clergy Reserves so to be sold as aforesaid in any One Year, in either of the said Provinces, shall not in the whole exceed One hundred thousand Acres: Provided also, that the Monies to arise by or to be produced from any such Sale or Sales shall be paid over to such Officer or Officers of His Majesty's Revenue within the said Provinces respectively as His Majesty shall be pleased to appoint to receive the same, and shall by such Officer or Officers be invested in the Public Funds of the United Kingdom of *Great Britain and Ireland*, in such Manner and Form as His Majesty shall from time to time be pleased to direct: Provided also, that the Dividends and Interest accruing from such Public Funds, so to be purchased, shall be appropriated, applied, and disposed of for the Improvement of the remaining Part of the said Clergy Reserves, or otherwise, for the Purposes for which the said Lands were so reserved as aforesaid, and for no other Purpose whatsoever; save only so far as it may be necessary to apply the same, or any Part thereof, in or towards defraying the Expences of or attendant upon any such Sale or Sales as aforesaid; and

Governor or
Lieutenant
Governor, &c.
empowered to
sell Part of
Clergy Re-
serves in
Canada.

Limiting the
Quantity of
Land to be sold
in One Year.
Money to be
invested in the
Funds, and
Dividends and
Interest applied
in Improve-
ment of re-
maining Part.

and which Appropriations shall be so made in such Manner and Form, and for such special Purposes, as His Majesty from time to time shall approve and direct.

Governor, &c.
may grant or
accept Lands
in exchange for
Clergy
Reserves.

II. And be it further enacted, That it shall and may be lawful for the Governor, Lieutenant Governor, or Officer administering the Government of the said Provinces, with the Consent of such Executive Council as aforesaid, in pursuance of any Instructions which may in Manner aforesaid be issued to him, to give and grant, in exchange for any Part of the said Clergy Reserves, any Lands of and belonging to His Majesty within the said Provinces of equal Value with such Clergy Reserves so to be taken in exchange, or to accept in exchange for any such Clergy Reserves, from any Person or Persons, any Lands of equal Value; and all Lands so taken in exchange for any such Clergy Reserves shall be holden by His Majesty, His Heirs and Successors, in Trust for the several Purposes to which the said Clergy Reserves are appropriated by the said Act so passed in the Thirty first Year of the Reign of His late Majesty King *George* the Third, or by this present Act.

C A P. LXIII

An Act to explain so much of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, as relates to the Transportation of Offenders. [2d July 1827.]

7 & 8 G. 4.
c. 4.

‘ WHEREAS by an Act passed in this present Session of Parliament, intituled *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, it is (amongst other Things) enacted, that whenever His Majesty shall intend any Sentence of a Court-martial of Transportation to be carried into Execution, or shall be graciously pleased to extend His Mercy, upon Condition of Transportation, to any Offender liable to the Punishment of Death by the Sentence of a Court-martial, such Sentence, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Commander in Chief for the Time being of His Majesty's Forces in *Great Britain* and *Ireland*, or in the Absence of the Commander in Chief, then by the Adjutant General for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer of the Degree of the Coif, in *England*, or to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer, in *Ireland*; and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender, upon the Terms and for the Time which shall be specified in such Notification, and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Justice or Baron is authorized to make or do by any Act or Acts in force at the Time of making any such Orders in relation to the Transportation of Offenders: And whereas Doubts have arisen whether the Adjutant General or Secretary at War is or are thereby authorized to notify such Sentence, together with His Majesty's Pleasure upon the same, when there shall not be any Person appointed Commander in Chief

‘ Chief of His Majesty’s Forces in *Great Britain and Ireland* :
 ‘ And Whereas it is expedient that such Doubts should be re-
 ‘ moved ;’ Be it therefore declared and enacted by the King’s
 most Excellent Majesty, by and with the Advice and Consent of
 the Lords Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same, That
 whenever there shall not be any Person appointed Commander in
 Chief of His Majesty’s Forces in *Great Britain and Ireland*, the
 Notification of such Sentence, and of His Majesty’s Pleasure
 thereupon, by the Secretary at War or his Deputy, shall be deemed
 and taken to be as good and effectual as if made in pursuance of
 the said recited Act by the Commander in Chief or the Adjutant
 General ; and all Acts and Orders done and made in pursuance
 of such Notification shall have the same Force and Effect and be
 as valid and effectual as if such Notification had been made by
 the Commander in Chief or the Adjutant General, as fully and
 effectually to all Intents and Purposes as if all the Powers and
 Provisions of the said recited Act were re-enacted as to all such
 Orders made by the Secretary at War or his Deputy.

Sentence of
 Transportation
 may be notified
 by the Secretary
 at War or his
 Deputy when
 there shall be
 no Commander
 in Chief.

C A P. LXIV.

An Act to establish a Taxation of Costs on Private Bills in
 the House of Lords. [2d July 1827.]

‘ **W**HEREAS it is expedient to establish a Taxation of the
 ‘ Costs, Charges, and Expences charged by Parliamentary
 ‘ Agents, in respect of Bills subject to the Payment of Fees in
 ‘ Parliament, commonly called Private Bills, and incurred in com-
 ‘ plying with the Standing Orders of the House of Lords relative
 ‘ to such Bills, and in preparing, bringing in, and carrying the
 ‘ same through, or in opposing the same in the House of Lords ;’
 Be it therefore enacted by the King’s most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That if any Petitioner or Pe-
 titioners for or against a Private Bill brought into the House of
 Lords, or passed by the Commons House of Parliament and car-
 ried up to the House of Lords, or the Agent or Agents of any such
 Petitioner or Petitioners, shall make Application to the Clerk of
 the Parliaments, when discharging the Duties of his Office in
 Person, or in his Absence to the Clerk Assistant, complaining of
 the Amount of the Costs, Charges, and Expences charged by any
 Parliamentary Agent ; or if any Parliamentary Agent shall make
 Application to the Clerk of the Parliaments, or Clerk Assistant as
 aforesaid, complaining that he is aggrieved by the Nonpayment
 of the Costs, Charges, and Expences charged by him in respect
 of any such Private Bill or Petition as aforesaid ; it shall be lawful
 for the Clerk of the Parliaments, or Clerk Assistant as aforesaid,
 upon receiving any such Application, and he is hereby authorized
 and required, to direct that such Costs, Charges, and Expences,
 so far as the same shall relate to the House of Lords, shall be
 taxed by such Person or Persons as he shall think proper to ap-
 point ; and it shall be lawful for any Person or Persons so ap-
 7 & 8 GEO. IV. G g pointed

On Application
 made to the
 Clerk of the
 Parliaments, as
 to the Costs and
 Expences of
 Private Bills,
 he shall direct
 the same to be
 taxed by such
 Persons as he
 shall appoint.

Fees to be allowed for such Taxation.

pointed for the taxing such Costs, Charges, and Expences, and he and they is and are hereby required to tax the same, and to report to the Clerk of the Parliaments, or Clerk Assistant as aforesaid, the Amount of such Costs, Charges, and Expences which such Person or Persons shall think fit to be allowed upon and after such Taxation; and the Clerk of the Parliaments, or Clerk Assistant as aforesaid, shall, upon Application, deliver to the Person or Persons concerned therein and requiring the same, a Certificate, signed by himself, expressing the Amount of the Costs, Charges, and Expences allowed in and by such Report; and it shall be lawful for the Person or Persons so appointed to tax such Costs, Charges, and Expences, and he and they is and are hereby authorized respectively to demand and receive for such Taxation and Report such Fees as shall be from time to time fixed by any Resolution of the House of Lords, and for that Purpose to charge the Amount of such Fees at the Foot of such Report, either against the Party applying for such Taxation, or against any Party complained of, or in such Proportions against each of such Parties as such Person or Persons so taxing such Costs, Charges, and Expences may think fit; and such Certificate, so signed by the Clerk of the Parliaments, or Clerk Assistant as aforesaid, shall be conclusive Evidence of all Demands therein certified; and the Party claiming under the same shall (upon receiving the Amount so certified) give a Receipt at the Foot of such Certificate, and such Receipt shall be sufficient Discharge for such Costs, Charges, and Expences.

In Actions against Persons liable to pay the Costs, the Certificate shall have the Effect of a Warrant to confess Judgment.

II. And be it further enacted, That if any Petitioner, Agent, or other Person liable to the Payment of such Costs, Charges, and Expences, shall refuse to pay the Amount so certified by the Clerk of the Parliaments, or Clerk Assistant as aforesaid, in any Action which shall be commenced for the Recovery of such Costs, Charges, and Expences, such Certificate so signed by him as aforesaid shall have the Force and Effect of a Warrant to confess Judgment, and the Court in which such Action shall be commenced shall, upon Motion and Production of such Certificate, order Judgment to be entered up for the Sum specified in such Certificate, in like Manner as if the Defendant or Defendants in any such Action had signed a Warrant to confess Judgment in such Action to that Amount.

Taxators to have Power to administer Oaths, and to require Vouchers for all Monies charged by Parliamentary Agents.

III. And be it further enacted, That the Person or Persons so appointed as aforesaid for taxing such Costs, Charges, and Expences shall be empowered, and he and they is and are hereby empowered, to administer an Oath to the Parties appearing before him or them in support of or in opposition to such Taxation, touching the Matters relating thereto; and to require the Production of proper Vouchers for all Monies charged as having been paid by any Parliamentary Agent in the Prosecution of or Opposition to such Private Bill as aforesaid.

Clerk of the Parliaments to prepare a List of Charges to be allowed to Parliamentary Agents.

IV. And be it further enacted, That the Clerk of the Parliaments, or Clerk Assistant as aforesaid, shall, before the First Day of the next Session of Parliament, prepare a List of all Charges which shall appear to him to be justly due and payable to Parliamentary Agents, for their Skill, Time, and Labour bestowed by them in the Prosecution of or Opposition to such Private

vate Bills in the House of Lords as aforesaid; and such List of Charges shall, if approved by the House of Lords, be binding and conclusive upon all Parties concerned therein.

C A P. LXV.

An Act to explain and remove Doubts touching the Admiralty.
[2d July 1827.]

WHEREAS Doubts may arise whether the Powers and Privileges given to, and the Duties imposed upon, the Commissioners for executing the Office of Lord High Admiral by various Acts of Parliament, do extend and apply to the Lord High Admiral: And Whereas it is expedient that such Doubts should be removed: May it therefore please Your Majesty that it may be declared and enacted, and be it declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers, Privileges, Authorities, Jurisdictions, and Exemptions given to, and all Duties and Obligations imposed upon, the Commissioners for executing the Office of Lord High Admiral for the Time being, or any Two or more of them, or given to or imposed upon any other Person or Body Corporate in relation to the said Commissioners or any of them, by any Act of Parliament now in force, do extend and apply, and shall be deemed, taken, and adjudged to extend and apply, to the Lord High Admiral for the Time being, and to such Person or Body Corporate in relation to the Lord High Admiral for the Time being, in like Manner and to all Intents and Purposes as if the Lord High Admiral had been expressly named in such Acts of Parliament.

Powers and Privileges given by any Act to the Commissioners of the Admiralty to extend to the Lord High Admiral.

II. And be it further declared and enacted, That all Powers, Privileges, Authorities, Jurisdictions, and Exemptions given to, and Duties imposed upon, the First Commissioner of the Admiralty by any Act of Parliament now in force, shall extend and apply, and be deemed and taken to extend and apply, in like Manner, to the Lord High Admiral for the Time being.

Powers given to the First Commissioner to extend to the Lord High Admiral.

III. And be it further declared and enacted, That in all Cases in which the Signatures of any Two or more of the Commissioners for executing the Office of Lord High Admiral would be sufficient, if the said Office were executed by Commissioners, to give effect to any Commission, Warrant, Order, or other Document whatsoever, the Signature of any Two or more of the Council of the Lord High Admiral, affixed by his Authority for that Purpose, shall be taken and adjudged to have the like Force and Efficacy.

The Signatures of Two of the Council to have the same Effect as of Two Commissioners.

IV. And be it further enacted, That the Members of the Council of the Lord High Admiral shall, from and after the passing of this Act, be appointed by His Majesty, and be removable at His Majesty's Pleasure: Provided always, that no Person holding the Office of a Member of the present Council, being a Member of the House of Commons at the Time of the passing of this Act, shall vacate his Seat by reason of being re-appointed to the same under the Provisions of this Act, or of his being made removable from the said Office at the Pleasure of His Majesty.

Appointment of Members of the Council.
Proviso as to present Members.

Members of the Council not deemed to hold a new Office.

V. And be it further enacted, That the Members of the Council of the Lord High Admiral for the Time being shall not be deemed and taken to have or hold any new Offices or Places of Profit within the Meaning of an Act passed in the Sixth Year of the Reign of Her Majesty Queen Anne, intituled *An Act for the Security of Her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line.*

C A P. LXVI.

An Act to extend an Act of the Fifty sixth Year of His late Majesty, for enabling His Majesty to grant small Portions of Land as Sites for Public Buildings, or to be used as Cemeteries. [2d July 1827.]

56 G. 3. c. 128.

WHEREAS by an Act passed in the Fifty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend Two Acts made in the Fifty third Year of the Reign of His present Majesty, for opening a more convenient Communication from Mary-le-bone Park to Charing Cross, and for paving the Streets to be made in Mary-le-bone Park, and to enable His Majesty to grant small Portions of Land as Sites for Public Buildings, or to be used as Cemeteries, within the Bills of Mortality*, after reciting that many Bodies Corporate and other Public Bodies, and many Persons formed into Societies for the Promotion and Advancement of the Arts, or of Literature and Knowledge, or for charitable or other useful Purposes, were frequently desirous of erecting Buildings for the transacting and carrying on the several useful Purposes in which they were engaged, and were unable to obtain convenient Spots of Ground or Sites for such Buildings, or for Easements and Accommodations thereto; and that it would be very beneficial to the Public if His Majesty, His Heirs or Successors, was and were enabled to grant and vest in any such Bodies Corporate, or other Public Bodies, Societies, or Persons, and their Successors, Heirs, Executors, or Administrators respectively, sufficient Spots and Parcels of Land for the erecting such Buildings thereon, or for Curtilages, Accesses, or other Conveniences, Easements, or Accommodations to any Buildings erected or to be erected for the Purposes aforesaid, and also for Cemeteries or Burial Grounds; it was by the now-reciting Act enacted, that the King's most Excellent Majesty, His Heirs and Successors, should have full Power and Authority to give and grant to and vest in any Body or Bodies Politic or Corporate, or other Public Bodies, Societies, or Persons, all or any Part of the Estate, Interest, or Property of His Majesty, His Heirs or Successors, in any Lands, Tenements, or Hereditaments within the Survey of the Court of Exchequer in *England*, situate within the Bills of Mortality, in order to be appropriated as a Site or Sites for erecting thereon any Building or Buildings for any of the Purposes aforesaid, or to be used as a Curtilage or Curtilages, or for an Access or Accesses to any Building or Buildings erected or to be erected for any of the Purposes thereinbefore mentioned, or to be used for any Convenience, Easement, or Accommodation thereto or connected therewith, or for Cemeteries or Burial Grounds;

‘ Grounds ; and such Body or Bodies Corporate, or other Public Bodies, Societies, or Persons, and their Heirs, Successors, Executors, or Administrators, should have full Capacity and Ability to receive, take, hold, and enjoy the same, as therein mentioned and declared : And Whereas it is expedient that the Provisions of the said recited Act should be enlarged and extended : ’ May it therefore please Your Majesty that it may be enacted, and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the King’s most Excellent Majesty, His Heirs and Successors, shall have full Power and Authority to give and grant to and vest in any Body or Bodies Politic or Corporate, or other Public Bodies, Societies, or Persons, all or any Part of the Estate, Interest, or Property of His Majesty, His Heirs or Successors, in any Lands, Tenements, or Hereditaments within the Survey of the Court of Exchequer in *England* or *Wales*, in order to be appropriated or which have already been appropriated as a Site or Sites for erecting thereon any Building or Buildings for any of the Purposes in the said recited Act mentioned, or to be used as or for a Curtilage or Curtilages, or for an Access or Accesses to any Building or Buildings erected or to be erected for any of such Purposes, or to be used for any Convenience, Easement, or Accommodation thereto or connected therewith, or for Cemeteries or Burial Grounds : and such Body or Bodies Corporate, or other Public Bodies, Societies, or Persons, and their Heirs, Successors, Executors, or Administrators, shall have full Capacity and Ability to receive, take, hold, and enjoy the same ; and whenever it shall be the Pleasure of His Majesty, His Heirs or Successors, to make a Grant for any such Purpose as aforesaid, it shall and may be lawful for the Lord High Treasurer, or the Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, or any Three of them, to issue a Warrant under his or their Hand or Hands to any such Body or Bodies Corporate, or other Public Bodies, Societies, or Persons as aforesaid, which Warrant shall be exempt from any Stamp Duty whatever, and shall be enrolled in the Office of the Auditor of the Land Revenue for the Division or County within which the Premises therein specified shall be situate, and also in the Office of the Commissioners of His Majesty’s Woods, Forests, and Land Revenues ; and such Auditor, and such Commissioners, having enrolled the said Warrant, shall certify such Enrolment at the Foot or on the Back thereof, under his or their Hand or Hands, and return the said Warrant to the Grantee or Grantees of such Lands and Premises ; and from and immediately after such Enrolment thereof, the respective Grantees named in such Warrant, and their Heirs, Successors, Executors, or Administrators, shall by force of this Act be adjudged, deemed, and taken to be in the actual Seisin and Possession of the Premises in the said Warrant specified, and shall hold and enjoy the same, either absolutely and in perpetuity, or for such limited Estate, Term, or Interest, and under and subject to such Reservations of Rent or other Acknowledgments or Restrictions in relation to the Buildings to be erected thereon, and the Form, Elevation, or Design thereof, the Line on which the same shall range, or the Uses or

Crown Lands may be granted for Sites for Public Buildings, Cemeteries, &c.

Manner of making such Grants.

Purposes to which the same shall be applied, or any other Regulations, Restrictions, or Provisions in regard thereto, as to the King's most Excellent Majesty shall seem meet, and in such Warrant shall be specified, inserted, directed, or contained; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Copies of Warrants issued by the Treasury to be laid before Parliament.

Limiting any One Grant to Five Acres.

Commissioners of Woods and Forests, in their Reports, to certify all Grants made under this Act.

II. Provided always, and be it further enacted, That a Copy of every Warrant to be issued by the Lords Commissioners of His Majesty's Treasury for the Purposes of this Act, as hereinbefore authorized and directed, shall be laid before each House of Parliament on or before the Twenty fifth Day of *March* in each Year, if Parliament shall be then sitting, or if Parliament be not then sitting, then within Six Weeks after the next Meeting thereof: Provided always, that nothing in this Act contained shall extend or be construed to extend to enable His Majesty, His Heirs and Successors, to grant more than Five Acres of Land in any One Grant for any of the Purposes aforesaid.

III. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being shall, in every Report which shall be made by them to the King's most excellent Majesty, and to both Houses of Parliament, touching or concerning the Land Revenue of the Crown, from and after the passing of this Act, certify and report every Grant which shall have been made under and by virtue of the Provisions of this Act, since the Time of the making their last preceding Report, and to whom and for what Purpose the same shall have been made, and what Land or Ground shall be comprised therein, and all other Particulars relating thereto.

C A P. LXVII.

An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in *Ireland*.

[2d July 1827.]

' WHEREAS the holding of Petty Sessions by Justices of the Peace in *Ireland* has been found conducive to a better Administration of the Laws, and to the general Interests of His Majesty's Subjects within that Part of the United Kingdom: And Whereas it is expedient to afford additional Facilities for holding such Petty Sessions, and for securing a uniform and effectual Mode of Procedure therein; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Justices of the Peace, save and except within the County of *Cork*, within their respective Jurisdictions, at the *January* Sessions to be holden next after the passing of this Act, to divide the County, County of a City, or County of a Town, for which such Sessions shall be holden, into such Districts, for the Purposes of this Act, as to them shall seem most expedient, fixing within every such District a Place or Places wherein the Petty Sessions shall be holden for such Districts respectively.

' II. And Whereas in certain Parts of *Ireland* it may not be practicable to procure the constant Attendance of a sufficient Number

Countries, Cities, &c. divided into Districts for holding Petty Sessions.

‘ Number of Justices of the Peace to constitute Petty Sessions; Be it enacted, That in case the Justices of the Peace of any County so assembled shall be of Opinion that any Part of such County ought not to be included in any District for the Purposes of this Act, it shall and may be lawful for such Justices to make an Order to that effect, and then and in such Case the Provisions of this Act shall not extend to such Part or Parts of any County as shall in such Order be declared not to be included in any District.

Part of any County may not be included in any District.

III. And be it further enacted, That an Order in Writing shall be made by the said Courts of Quarter Sessions assembled as aforesaid, specifying the Boundaries of each and every such District, and of every Part or Parts of any County which shall not be included in any District, and the Names of every Place fixed for the holding of Petty Sessions; which Order shall be entered in the Crown Book by the respective Clerks of the Peace, and a certified Copy of such Order transmitted by such Clerk of the Peace to the respective Secretaries to the Grand Juries, and shall be laid before the several Grand Juries at the Spring Assizes then next ensuing, and in the County of *Dublin* at the next ensuing presenting Term, and shall be printed with the Presentments granted at such Spring Assizes.

Extent of District, and Place fixed for holding Petty Sessions, to be entered in the Crown Books, and certified to the Secretaries of Grand Juries.

IV. Provided always, That in case at any *October* Quarter Sessions, after the First of *January* in the Year One thousand eight hundred and twenty eight, Application in Writing, in Manner and Form as in the Schedule to this Act is set forth, under the Hands and Seals of Five or more Justices of the Peace, or of Three or more Justices within any local Jurisdiction, be made to the Justices assembled, praying an Alteration of any such District of Petty Sessions, or of the Place or Places wherein such Petty Sessions are holden, it shall and may be lawful to and for the said Justices, within their respective Jurisdictions respectively, save and except in the County of *Cork*, at the *January* Sessions then next ensuing, to consider such Application, and to make such Order thereon respecting the Alteration applied for as shall to such Justices seem expedient, entering such Order in the Crown Book, and transmitting the same to the respective Secretaries to the Grand Juries, to be by them printed with the Presentments as aforesaid: Provided always, whenever any such Application shall be made at any *October* Quarter Sessions as aforesaid, that the Clerks of the Peace respectively shall give Notice thereof, by affixing a Copy of such Application upon the Court House Doors within their several Jurisdictions, and by advertising the same in like Manner as such Clerks of the Peace are now required to advertise the Time and Place at which the Courts of Quarter Sessions, or Adjournments thereof, are to be holden.

Justices may alter District and Place for holding Petty Sessions.

Notice to be given of Applications for Alteration.

‘ V. And Whereas by an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act to divide the County of Cork, for the Purpose of holding additional Sessions therein*, the said County is divided into Two Parts; Be it enacted, That for the Purposes of carrying the present Act into Execution within the said County, by dividing the said County into Districts for the holding of Petty Sessions, and fixing the Places wherein such Petty Sessions shall be holden, or making any Alterations therein, the several Acts hereby directed to be done by the Justices of the Peace at the *January* Quarter Sessions, shall in the

When the Act shall be carried into Execution in the County of *Cork*.

County of *Cork* be performed at a General Meeting of Magistrates of the said County to be held in the City of *Cork* on the Second Day of the Summer Assizes next after the passing of this Act, or next after the serving any such Notice at the *October Quarter Sessions* as aforesaid.

Part of a
County may be
appropriated to
a District of
adjoining
County for the
Purposes of this
Act.

‘ VI. And Whereas for the due Execution of Justice on the Borders of adjoining Counties it has been found expedient to appoint some Persons to be Justices of the Peace for Two or more Counties, and such Justices have hitherto held Petty Sessions of the Peace at some convenient Place of one County on the Borders of some other County or Counties, and it might be attended with considerable Inconvenience if such Practice should be discontinued;’ Be it therefore enacted, That it shall be lawful for the Justices of the Peace acting within any County, County of a City, or County of a Town, in the Execution of this Act, to appropriate any District of any such County adjoining any other County as Part of a District of such adjoining County, wherein Petty Sessions shall be holden in pursuance of this Act, at such Place as shall have been or shall be fixed for that Purpose in pursuance of this Act, such Place not being at a greater Distance than Five Miles from any Part of the District in a different County to be annexed as aforesaid, and such Annexation being made in the same Manner as the Appropriation of any District for the Purpose of holding Petty Sessions of the Peace is directed to be made by this Act; and such Appropriation shall be entered and certified in the same Manner as the several other Districts within the same County are required to be entered and certified by this Act; and all other Proceedings shall be had respecting such District as by this Act are provided concerning any other District within such County; and such Appropriation shall also be certified to the Court of Quarter Sessions for the County to or District of which such Part of another County shall be so appropriated, and all Proceedings shall be had thereupon as if such Part of a County so appropriated to a District in another County had been within such last-mentioned County: Provided always, that such Proceedings shall be only before Justices of the Peace qualified to act for the County to which such appropriated District shall properly belong, and shall be considered as if actually done within such County, and not within the County to which such District shall be annexed as aforesaid.

Grand Jury to
present an annual
Sum for
Justice Room.

VII. And be it further enacted, That it shall and may be lawful to and for the said Grand Juries to present an annual Sum, not exceeding Ten Pounds, for the Rent of a public Justice Room, not being in a House wherein Spirituous or fermented Liquors are sold, in each of the Places wherein such Petty Sessions shall have been appointed to be openly held as aforesaid; provided that wherever a public Court House shall have been built and be maintained at any Place so appointed, no such Presentment shall be made, and the Petty Sessions shall be holden in such public Court House, and not elsewhere; provided also, that no such Presentment be made for such Justice Room, unless it shall be proved that Six Meetings of Justices during the Six Months immediately preceding such Presentment shall have been held therein.

Appointment
of Clerk to
Justices.

VIII. And be it further enacted, That it shall and may be lawful to and for the Justices, at every such Petty Sessions assembled, to

to appoint One fit and proper Person to act as their Clerk during their Pleasure, which Clerk shall be authorized to receive the several Fees as by the Schedule to this Act annexed; and that no other or greater Fee shall be taken by such Clerk, or by any other Person, for any Summons, Order, Warrant, Information, Recognizance, Conviction, or for any other Matter or Thing done by the said Justices at Petty Sessions.

IX. Provided always, That it shall and may be lawful to the Justices of such Petty Sessions, if they shall so think fit, to keep or require to be kept an Account of all such Fees; and in case such Fees shall amount to any greater Sum than such Justices shall consider to be and shall have been fixed as an adequate Remuneration for such Clerk as aforesaid, to appropriate any Balance remaining after the Payment of such Clerk to the Purchase of Stationery and necessary Books for the Use of such Petty Sessions as aforesaid.

Appropriation
of Fees.

X. And be it further enacted, That a printed Table of the said Fees shall be affixed within every Court House or public Justice Room wherein such Petty Sessions are holden; and if any other or greater Fees than those set forth in the Schedule are demanded or taken for any Act, Matter, or Thing done at the said Petty Sessions, any Person so offending shall forfeit the Sum of Five Pounds, to be recovered by Civil Bill by any Person who shall sue for the same: Provided nevertheless, that no Fee whatsoever shall be demanded, taken, or received by any Clerk to such Petty Sessions, or by any Clerk to any Justice of the Peace, or by any other Person, for any Summons, Warrant, Information, Recognizance, or other Magisterial Act, done by any Justice at any other Time, Place, or any other Manner than at Petty Sessions.

A Table of
Fees to be
affixed in every
Court House.

XI. And be it further enacted, That a Registry or Record in Writing shall be kept by each and every Clerk of Petty Sessions of all Acts or Orders and Proceedings done at such Petty Sessions, whether in Civil or Criminal Cases, in the Manner and Form set forth in the Schedule to this Act annexed; such Registry or Record to be signed, on each Day upon which such Petty Sessions shall be holden, by all the Justices present; and that no Summons, Warrant, Conviction, Committal, Information, Recognizance, or any other Magisterial Act or Order of any Kind, be issued or signed at such Petty Sessions, without the making an Entry thereof in the said Record or Registry.

A Registry of
all Acts and
Proceedings to
be kept.

XII. And be it further enacted, That all Informations and Recognizances sworn and acknowledged at the said several Petty Sessions, or transmitted thereto, shall, once in every Month at the least, be transmitted to the Clerk of the Crown or Clerk of the Peace of such County, County of a City, or County of a Town, as the Nature of the Case may require; and the Office of every such Clerk of the Crown and Clerk of the Peace shall be kept open from the Hour of Twelve o'Clock till Three o'Clock every Day, *Sundays, Good Friday, and Christmas Day* excepted.

Informations,
&c. to be trans-
mitted to Clerk
of the Crown.

XIII. And be it further enacted, That in all Cases in which it becomes necessary for a single Justice to act magisterially, not being in Petty Sessions, save and except in the issue of Summonses, such Magistrates do report such Case, together with the Informations taken or Recognizances sworn and acknowledged, to the Petty Sessions then next ensuing, to be holden for the District

Entry to be
made of all
Cases where a
single Justice
acts.

in

List of Informations, &c. where a single Justice acts, to be laid before Quarter Sessions.

Warrant, &c. to be signed by Two Justices.

Justices of Petty Sessions may determine Cases, although Complaint made before other Justices.

Chief and other Constables shall attend the Petty Sessions, and execute the Orders and Warrants of the Magistrates ;

but shall not be employed by them in the Levy of Rents, &c.

in which such Case had arisen ; and that a particular Entry be made in the Registry of such Petty Sessions of every such Case.

XIV. And be it further enacted, That a List of all Informations and Recognizances sworn and acknowledged before Justices acting singly be made out by the respective Clerks of the Crown and of the Peace, and shall be laid before the Judges of Assize and Justices in Quarter Session respectively, together with the Names of the Justices before whom such Informations and Recognizances were sworn and acknowledged.

XV. And be it further enacted, That every Warrant, Information, Conviction, Committal, Recognizance, or Order of the Justices at Petty Sessions, shall be signed by Two Justices at the least, and not by any One Person as Chairman and on the Behalf of others ; and that no Summons, Warrant, or Order be signed by any Justice or Justices of the Peace, unless the Blanks in the same shall have been first duly filled up.

XVI. And be it further enacted, That it shall and may be lawful to and for any Justices at Petty Sessions to hear and proceed and determine upon any Case in which such Justices have Jurisdiction by Law, although the Summons for the same may have been issued, and the Complaint received, by any other Justice acting singly, or by any other Justices at a previous Meeting of such Petty Sessions, in such and the like Manner as if the first Complaint was made, and the Summons issued, by the same Justices before whom the subsequent Proceedings were had and taken.

XVII. And Whereas by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for the Appointment of Constables, and to secure the effectual Performance of the Duties of their Office ; and for the Appointment of Magistrates in Ireland in certain Cases*, it is amongst other Things enacted, that all and every Chief Constables and other Constables shall, when required, attend on the Magistrates of the County at their Sessions or elsewhere, and shall obey and execute all the Orders, Warrants, and Commands of such Magistrates : And Whereas Doubts have arisen as to the Competency or Liability of such Constables to execute certain Civil Warrants of such Magistrates : Be it therefore declared and enacted, That every Chief Constable and other Constable shall attend, and every such Chief Constable and other Constable is hereby required (when not engaged on actual Duty) to attend at the several Petty Sessions which shall be held at the respective Places where such Constables shall be respectively stationed ; and that every such Chief Constable and other Constable shall obey and execute all Warrants, Orders, and Commands of such Justices in Petty Sessions ; and shall also obey and execute all Warrants, Orders, and Commands of the Magistrates of the County in their Sessions in all Cases, Civil as well as Criminal : Provided always, that no such Constable shall be employed, under such Authority, in the Recovery of Tithes, or in the Levy of Rents by Distress, or in the levying of Fines or Penalties under any Act or Acts relating to the Revenue in *Ireland*, or in the enforcing of any Act or Acts relating to the Game Laws, or any Laws for the Preservation of Game or Fish, except only in Cases where forcible Resistance shall have been actually made, and been proved by Information taken on Oath.

SCHEDULE OF FEES.

	s.	d.
Summons and Copy - - - - -	0	6
Warrant - - - - -	0	6
Recognizance - - - - -	1	0
Conviction - - - - -	1	0
Engrossing Information in Assaults, Trespasses, and all Mis- demeanors - - - - -	1	0
Appeal to Quarter Sessions - - - - -	1	6
Supersedeas - - - - -	0	6

SCHEDULE (A.)

REGISTRY of Summonses issued from Petty Sessions held for the County
of _____ at _____

No.	Date of Complaint.	Complainant's Name and Residence.	Complaint.	Persons summoned, Name and Residence.

REGISTRY of Civil Proceedings at Petty Sessions held for the County
of _____ at _____

No.	Date of Complaint.	Complainant's Name and Residence	Complaint.	Name of Defendant.	Witnesses sworn.	Adjudication.

REGISTRY of Proceedings in Criminal Matters at Petty Sessions held for the
County of _____ at _____

No.	Date of Information.	Informant's Name.	Offence.	Persons charged, Name and Residence.	Witnesses sworn.	Determination.

SCHEDULE

SCHEDULE (B.)

FORM of Application to October Quarter Sessions for Alteration of Districts.

WE, the undersigned Justices of the Peace for the
 of do hereby apply for the Establish-
 ment of a Petty Sessions at in the Parish of
 in the said for a District bounded as follows
 [here set forth the proposed Boundaries]. Given under our Hands
 and Seals, this Day of

C A P. LXVIII.

An Act for the Management and Improvement of the Land
 Revenues of the Crown in *Ireland*, and for other Purposes
 relating thereto. [2d July 1827.]

11 & 12 W. 3.
 c. 2.

‘ WHEREAS by an Act passed in the Parliament of *England*
 ‘ in the Eleventh and Twelfth Years of the Reign of His
 ‘ late Majesty King *William* the Third, intituled *An Act for*
 ‘ *granting an Aid to His Majesty by Sale of the forfeited and*
 ‘ *other Estates and Interests in Ireland, and by a Land Tax in*
 ‘ *England, for the several Purposes therein mentioned, Two Shil-*
 ‘ *lings in the Pound*, it was amongst other Things enacted, that all
 ‘ the Honours, Manors, Baronies, Castles, Messuages, Lands, Te-
 ‘ nements, Rents, Reversions, Services, Remainders, Possessions,
 ‘ Royalties, Franchises, Jurisdictions, Privileges, and Appurten-
 ‘ ances thereunto belonging, Rights of Entry, Rights of Action,
 ‘ Titles, Conditions, Uses, Trusts, Powers and Authorities, Leases
 ‘ for Life, Lives, or Years, Pensions, Annuities, Rent Charges,
 ‘ and Hereditaments, whether Freehold, Copyhold, or of what
 ‘ Nature or Kind soever, within the Realm of *Ireland*, whereof any
 ‘ Person or Persons who stood convicted or attainted of the High
 ‘ Treason or Rebellion therein mentioned, or other Treason com-
 ‘ mitted in Foreign Parts since the Thirteenth Day of *February*
 ‘ One thousand six hundred and eighty eight, or who should be
 ‘ convicted or attainted of any such Treason as aforesaid, by or
 ‘ before the last Day of *Trinity* Term One thousand seven hundred
 ‘ and one, or who stood convicted or attainted of High Treason
 ‘ by reason of being found by Inquisition to have died or been
 ‘ slain in actual Rebellion since the said Thirteenth Day of *Feb-*
 ‘ *ruary* One thousand six hundred and eighty eight, was or were
 ‘ seised or possessed, or interested in or entitled unto, on the
 ‘ Thirteenth Day of *February* One thousand six hundred and
 ‘ eighty-eight, or at any Time since, in their own Right or to their
 ‘ own Use, or whereof any other Person or Persons was or were
 ‘ seised or possessed or interested in to the Use of or in Trust
 ‘ for them or any of them, on the said Thirteenth Day of *February*,
 ‘ or at any Time since, or whereof the late King *James* the Se-
 ‘ cond, or any in Trust for him or to his Use, was seised or pos-
 ‘ sessed or interested in at the Time of his Accession to the
 ‘ Crown of *England*, should be and were thereby vested and
 ‘ settled, and adjudged, declared, and taken to be in the actual
 ‘ and

' and real Possession and Seisin of certain Trustees therein named ;
 ' to the end that the same might be bargained, sold, disposed of,
 ' and applied by the said Trustees and the Survivors of them to
 ' and for such Uses, Intents, and Purposes as are therein expressed,
 ' mentioned, and declared ; and it is by the said Act further de-
 ' clared, that the said forfeited Estates should, after such Sale or
 ' Sales thereof, be held of the King's Majesty, His Heirs and
 ' Successors, as of his Castle of *Dublin*, by Free and Common
 ' Socage Tenure, and should be subject, from the Time of the
 ' Date of such respective Sale and Conveyance, to such Crown
 ' Rents, Quit Rents, and Chiefries issuing thereout respectively, as
 ' the same were respectively liable to and charged with on the
 ' said Thirteenth Day of *February* One thousand six hundred
 ' and eighty eight ; all which Quit Rents, Crown Rents, and
 ' Chiefries, and all other the Quit Rents, Crown Rents, and
 ' Chiefries, belonging to the said Crown of *Ireland* on the said
 ' Thirteenth Day of *February* One thousand six hundred and
 ' eighty eight, should for ever thereafter remain and be for the
 ' Support and Maintenance of the Government of the said King-
 ' dom of *Ireland*, and should be unalienable ; and all Grants,
 ' Charges, and Incumbrances since the said Thirteenth Day of
 ' *February* made, or at any Time or Times thereafter to be made,
 ' of the same or any Part thereof, or therewith or thereby to
 ' affect, charge, or incumber the same or any Part thereof with
 ' any Annuity, Pension, Rent, Debt, Sum or Sums of Money,
 ' Charge or Incumbrance whatsoever, should be null and void
 ' to all Intents and Purposes whatsoever : And Whereas under
 ' the Powers and Provisions of the said Act and of other Acts
 ' subsequently passed for amending and explaining the same, the
 ' greater Part of the Honours, Manors, Lands, and other Heredita-
 ' ments to which the said Act related were sold by the Trustees
 ' in the said Act named : And Whereas by an Act passed in the
 ' Parliament of *England* in the First Year of the Reign of Her late
 ' Majesty Queen *Anne*, intituled *An Act for advancing the Sale of* 1 Ann. Sess. 2.
 ' *the forfeited Estates in Ireland, and for vesting such as remain* c. 21.
 ' *unsold by the present Trustees in Her Majesty, Her Heirs and*
 ' *Successors, for such Uses as the same were before vested in the*
 ' *said Trustees ; and for the more effectual selling and setting the*
 ' *said Estates to Protestants ; and for explaining several Acts re-*
 ' *lating to the Lord Bophin and Sir Redmond Everard ; after*
 ' reciting the said Act of the Eleventh and Twelfth Years of the
 ' Reign of His Majesty King *William* the Third, it was amongst
 ' other Things enacted, that all Manors, Lands, and other Here-
 ' ditaments which were then vested in the said Trustees, and
 ' should not be sold or otherwise disposed of before the Twenty
 ' fourth Day of *June* One thousand seven hundred and three,
 ' should be re-vested in Her Majesty, Her Heirs and Succes-
 ' sors, for the Uses declared in the said recited Act of the
 ' Eleventh and Twelfth Years of the Reign of His Majesty King
 ' *William* the Third, and should be subject to such Orders and
 ' Appointments as should be given by Authority of the Parlia-
 ' ment of *England* in that Behalf ; and that on the said Twenty
 ' fourth Day of *June* One thousand seven hundred and three, all
 ' the Powers of the said Trustees should cease ; and the Commis-
 ' sioners

21 & 22 G. 3.
(1.)

33 G. 3. c. 46.

33 G. 3. (1.)

‘ sioners of Her Majesty’s Revenues in *Ireland* should thenceforth
 ‘ collect the Rents and Profits of the Estates remaining unsold,
 ‘ and pay the Money arising therefrom, after deducting all Charges,
 ‘ into the Exchequer of *Ireland*, to be applied to the Uses there-
 ‘ inbefore mentioned, and subject to the Directions of the Par-
 ‘ liament of *England*: And Whereas by an Act passed in the
 ‘ Parliament of *Ireland* in the Twenty first and Twenty second
 ‘ Years of the Reign of His late Majesty King *George* the Third,
 ‘ intituled *An Act for extending certain Provisions contained in an*
 ‘ *Act, intituled ‘ An Act for confirming all the Statutes made in*
 ‘ *England,*’ it was amongst other Things enacted, that all Statutes
 ‘ theretofore made in *England* or *Great Britain*, for the settling
 ‘ and assuring the forfeited Estates in *Ireland*, and all private
 ‘ Statutes made there, under which any Lands, Tenements, or
 ‘ Hereditaments in *Ireland*, or any Estate or Interest therein,
 ‘ were holden or claimed, or which any way concerned the Title
 ‘ thereto, and any Evidence respecting the same, save so far
 ‘ as the same had been altered or repealed, should be accepted,
 ‘ used, and executed in that Kingdom, according to the Tenor
 ‘ thereof respectively: And Whereas by an Act passed in the Par-
 ‘ liament of *Great Britain* in the Thirty third Year of the Reign
 ‘ of His late Majesty King *George* the Third, intituled *An Act*
 ‘ *for vesting in His Majesty certain forfeited Estates in Ireland,*
 ‘ *subject to the Disposition of the Parliament of Ireland*, after re-
 ‘ citing the said recited Acts of the Eleventh and Twelfth Years
 ‘ of the Reign of His Majesty King *William* the Third, of the
 ‘ First Year of the Reign of Her Majesty Queen *Anne*, and the
 ‘ Twenty first and Twenty second Years of the Reign of His
 ‘ Majesty King *George* the Third, it was enacted, that all Honours,
 ‘ Manors, Lands, Tenements, Rents, Reversions, Remainders,
 ‘ Services, Possessions, Hereditaments, Estates, and Interests, of
 ‘ what Nature or Kind soever, within the Kingdom of *Ireland*,
 ‘ which stood so vested as therein mentioned in His Majesty, and
 ‘ remained so as aforesaid unsold and undisposed of, should be
 ‘ and the same were thereby declared to be vested in His Ma-
 ‘ jesty, His Heirs and Successors, discharged from any Orders or
 ‘ Appointments to be given by the Authority of the Parliament
 ‘ of *Great Britain*, and subject to such Orders, Appointments,
 ‘ and Disposition as should be given or made respecting the
 ‘ same by the Parliament of *Ireland*: And Whereas by an Act
 ‘ passed in the Parliament of *Ireland* in the same Thirty third
 ‘ Year of the Reign of His late Majesty King *George* the Third,
 ‘ intituled *An Act for re-vesting in His Majesty the Estates for-*
 ‘ *feited in One thousand six hundred and eighty eight, yet remaining*
 ‘ *unsold*, after reciting all the said several hereinbefore recited
 ‘ Acts, it was enacted, that all Honours, Manors, Lands, Tene-
 ‘ ments, Rents, Reversions, Remainders, Services, Possessions,
 ‘ Hereditaments, Estates, and Interests, of what Nature or Kind
 ‘ soever, within the Kingdom of *Ireland*, which stood so vested as
 ‘ aforesaid in His Majesty, and remained so as aforesaid unsold and
 ‘ undisposed of, should be and the same were thereby declared to
 ‘ be vested in His Majesty, His Heirs and Successors, to His and
 ‘ their own Use, discharged from the Orders, Appointment, and
 ‘ Disposition of the Parliament of that Kingdom: And Whereas
 ‘ subsequently

‘ subsequently to the passing of the said lastly-recited Act several
 ‘ Acts of Parliament were passed in *Ireland* and in the United
 ‘ Kingdom, for selling and disposing of all or any of the Quit,
 ‘ Crown, and Composition Rents then payable to His Majesty,
 ‘ and all or any of the Lands, Tithes, Tenements, and Here-
 ‘ ditaments forfeited in the Rebellions of One thousand six hun-
 ‘ dred and forty one, and One thousand six hundred and eighty-
 ‘ eight, then remaining undisposed of; under which several Acts
 ‘ various Sales took place; but all which several Acts were re-
 ‘ pealed by the Act of the Third Year of the Reign of His
 ‘ present Majesty, hereinafter recited: And Whereas by an Act
 ‘ passed in the First Year of the Reign of His present Majesty,
 ‘ intituled *An Act for the Support of His Majesty's Household,* 1 G. 4. c. 1.
 ‘ *and of the Honour and Dignity of the Crown of the United King-*
 ‘ *dom of Great Britain and Ireland,* after reciting several Acts
 ‘ passed in the Reign of His late Majesty King *George* the Third,
 ‘ it was enacted (amongst other Things), that all Powers, Au-
 ‘ thorities, Provisions, Regulations, and Clauses contained in the
 ‘ said recited Acts, or any or either of them, or in any other Act
 ‘ or Acts of Parliament of *Great Britain* or *Ireland*, or of the
 ‘ United Kingdom of *Great Britain* and *Ireland*, in force at the
 ‘ Time of the Demise of His late Majesty, as to His Majesty's
 ‘ Hereditary Rates, Duties, Payments, and Revenues in that Part
 ‘ of the United Kingdom called *England*, and also as to the He-
 ‘ reditary Revenues of that Part of the United Kingdom called
 ‘ *Ireland*, and the levying and collecting and Payment or keep-
 ‘ ing separate Accounts thereof, or computing the Amount of
 ‘ any such Rates, Duties, Payments, or Revenues respectively,
 ‘ should be and the same were thereby declared and enacted to
 ‘ be in full Force and Effect, and should be used and applied
 ‘ for the levying, collecting, paying, or keeping separate Ac-
 ‘ counts of, or computing the Amount of all or any of such
 ‘ Rates, Duties, Payments, and Revenues, as fully and effec-
 ‘ tually, to all Intents and Purposes, as if the said Power,
 ‘ Authority, Provisions, Regulations, and Clauses were sever-
 ‘ rally and separately re-enacted in the Body of and made
 ‘ Part of that Act; and it was also enacted, that the Produce of
 ‘ all the said Hereditary Revenues in that Part of the United
 ‘ Kingdom called *Ireland*, which were by an Act of the Parlia-
 ‘ ment of *Ireland* of the Thirty-third Year of the Reign of His
 ‘ late Majesty, therein recited, carried to and made Part of the
 ‘ Consolidated Fund of the United Kingdom of *Great Britain*
 ‘ and *Ireland*, and all Arrears thereof which had accrued since
 ‘ the Demise of His late Majesty, which should not have been
 ‘ applied and distributed in the Payment of any Charges thereon
 ‘ respectively, should, during the Life of His present Majesty, be
 ‘ carried to and made Part of the Consolidated Fund of the
 ‘ United Kingdom of *Great Britain* and *Ireland*, and from and
 ‘ after the Demise of His present Majesty should be payable and
 ‘ paid to the King's Majesty, His Heirs and Successors: And
 ‘ Whereas an Act was passed in the Third Year of the Reign
 ‘ of His present Majesty, intituled *An Act to authorize the Sale of* 8 G. 4. c. 63.
 ‘ *Quit Rents and other Rents, and the Sale and Demise of Lands,*
 ‘ *Tithes, Tenements, and Hereditaments, the Property of His Ma-*
 ‘ *jesty*

4 G. 4. c. 23.

50 G. 3. c. 65.

Recited Act
3 G. 4. repealed,
except as re-
gards Pay-
ment
of Rents, &c.

Repeal of the
said Act not
to revive any
Act repealed,
nor prejudice
any Sale, &c.

The other re-
cited Acts, so
far as repug-
nant to this
Act, to be
repealed.

*‘ jesty in Right of the Crown, in Ireland : And Whereas the Pro-
visions of the said last-recited Act have been found insufficient
for the Purposes for which the same was passed : And Whereas
an Act was passed in the Fourth Year of the Reign of His pre-
sent Majesty King George the Fourth, intituled An Act to
consolidate the several Boards of Customs, and also the several
Boards of Excise, of Great Britain and Ireland ; and in order
further to carry into Effect the Uniformity of System and Ma-
nagement of the Revenues of Great Britain and Ireland, which
was to a certain Extent affected by the said last-mentioned
Act, it will be expedient to place the Possessions and Land
Revenues of the Crown in Ireland under the Management of
the Commissioners of His Majesty's Woods, Forests, and Land
Revenues, appointed and to be appointed under and by virtue
of an Act passed in the Fiftieth Year of the Reign of His late
Majesty King George the Third, intituled An Act for uniting the
Offices of Surveyor General of the Land Revenues of the Crown
and Surveyor General of His Majesty's Woods, Forests, Parks,
and Chases, with such Powers and Provisions as are hereinafter
contained ; and it will also be expedient to render the said
Possessions and Land Revenues of the Crown in Ireland inalien-
able, except under the Powers and Provisions hereinafter con-
tained ;’ Be it therefore enacted by the King's most Excellent
Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, That from and after
the Commencement of this Act the said recited Act of the Third
Year of the Reign of His present Majesty (except so far as re-
gards the Payment and Recovery of Rents which have been
purchased under the Provisions thereof for the Use of the Pur-
chaser, and the Extinguishment of Rents and the Discharge of
Lands where Rents have been purchased under the Provisions
thereof for the Purpose of being extinguished, and also ex-
cept the Provision contained in the said Act for investing any
Sums of Money paid under the said Act in the Purchase of
Stocks, Funds, or Annuities, transferable at the Bank of Ire-
land, in the Name of the Lord High Treasurer or Commis-
sioners of His Majesty's Treasury) shall be and the same is hereby
repealed.*

II. Provided nevertheless, and be it further enacted, That the
Repeal of the said Act shall not operate to revive any Act
thereby repealed, nor shall the same prejudice any Sale, Com-
position, Mortgage, or other Act, Matter, or Thing made or done
under and by virtue of that Act, but the same shall remain as
good, valid, and effectual, and all the Provisions in the said Act
contained, with respect to Rents or other Property to be pur-
chased under the said Act, shall, so far as regards any Rents or
other Property already sold or contracted for under the Pro-
visions of the said Act, remain and be of as full Force and Virtue
as if the said Act had not been repealed.

III. And be it further enacted, That all the said several other
recited Acts not hereinbefore altogether repealed shall be and
the same are hereby, from and after the Commencement of this
Act, so far as they may respectively interfere with or be repug-
nant

nant to the Powers and Provisions of this Act, but not further or otherwise, repealed.

‘ IV. And Whereas by an Act passed in the Parliament of Ireland in the Ninth Year of the Reign of His late Majesty King William the Third, intituled *An Act for making the Collectors Receipts for Quit Rent, Crown Rent, and other Rents due to the Crown, full and legal Discharges for the same; and for limiting their Fees thereon*; after reciting that the Rents due to the Crown were levied by Collectors appointed in the several Districts of that Kingdom, which was principally intended for the Ease of the Subject, by saving them the Trouble, Danger, and Expence of sending their Money to Dublin, to be there paid into the Treasury; and that Doubts had arisen whether the Acquittances given by such Collectors were sufficient Discharges to the Persons paying the said Rents; it was enacted, that the Acquittances already given by the Collectors duly appointed to receive the same Rents, as also all Acquittances that thereafter should be given by any such Collector during the Time the said Collectors were or should be so employed, should be good and valid in Law to all Intents and Purposes, against His Majesty, His Heirs and Successors; and that all such Acquittances so given or thereafter to be given should be as good and effectual, to all Intents and Purposes, as an Exchequer Acquittance duly passed and entered in the several Offices of the Exchequer; and it was further enacted, that the said Collectors might demand and receive the respective Fees therein-after mentioned, and no more or other Fee; that was to say, for every Acquittance they should give for any of the said Rents for any Sum above Five Shillings and not exceeding Twenty Shillings, the Sum of Sixpence and no more; and for every Sum above Twenty Shillings and not exceeding Five Pounds, the Sum of One Shilling and no more; and for every Sum above Five Pounds and not exceeding Fifteen Pounds, the Sum of One Shilling and Sixpence and no more; and for every Sum above Fifteen Pounds, the Sum or Fee of Two Shillings; and in no Case to receive any more for any One Acquittance than Two Shillings; and after reciting that several Persons stood charged with several Rents for several Parcels of their Lands and Tenements, the same being granted under several and distinct Rents to themselves or others under whom they claimed, for which formerly several Acquittances used to be given, though paid at the same Time and by the same Person, for which said several Acquittances distinct Fees had been paid, it was further enacted, that where One Person stood charged with the Payment of several and distinct Sums in respect of several Parcels of their Lands and Tenements, or where the same was in charge in the Name of other Persons not in Possession of such Lands, the several Collectors should, on Receipt of the said Rents or any Part thereof, give to the Person so in Possession as aforesaid, and so paying the same, One Acquittance for what he should so pay, which Acquittance should distinctly mention as well the Lands and Tenements as the Rent so paid, and for what Gale the same was so paid, and by whom, for which One Acquittance the said Collectors should require no other or greater Fee than

7 & 8 Geo. IV.

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‘ as

‘ as aforesaid ; and after reciting that the several Acquittances to
 ‘ be made and given pursuant to that Act might be lost or mislaid,
 ‘ to the Prejudice of the Person therein concerned, for Prevention
 ‘ thereof it was further enacted, that the Collectors should every
 ‘ Year prepare a Book, wherein they should enter all the Receipts
 ‘ or Acquittances by them given for all and every the aforesaid
 ‘ Rents, under their Hands, and in the Presence of the Party
 ‘ paying the same, to which Receipt the said Parties, or any
 ‘ other on their Behalf, might set their Names ; for every which
 ‘ Entry the said Collectors might demand and receive Two Pence
 ‘ over and above the Fees aforesaid ; which Book the said Col-
 ‘ lectors, and every of them respectively, should yearly before the
 ‘ stating of their Accounts return, under their Hands and on their
 ‘ Oaths, into the Office of the Auditor General, where the same
 ‘ should remain and be kept, not only as a Charge on such Col-
 ‘ lectors respectively, but also as a Discharge to the Subject for
 ‘ all Sums thereby appearing to be paid as aforesaid : And Whereas
 ‘ it is desirable that the Provisions hereinafter contained, with
 ‘ respect to the Fees on the Receipt of Quit Rents, Crown Rents,
 ‘ Composition, and other Rents payable to the Crown, should be
 ‘ substituted in lieu of the Provisions of the said Act of the Ninth
 ‘ Year of the Reign of His late Majesty King *William the Third* ;
 Be it therefore further enacted, That from and after the Com-
 mencement of this Act the said Act (but without Prejudice to
 the Validity of Receipts heretofore given in pursuance thereof)
 shall be and the same is hereby repealed.

9W.3. repealed,
 but without
 Prejudice to
 Receipts given
 in pursuance
 thereof.

Receivers of
 Quit Rents to
 give Receipts
 stating the Par-
 ticulars.

V. And be it further enacted, That every Receiver or Collector of any Quit Rents, Crown Rents, Composition, or other Rents due and payable to the Crown in *Ireland*, shall, upon Payment of the same or any Part thereof, give and perfect to the Person paying the same a full and clear Receipt or Acquittance for what he shall receive under his Hand, wherein he shall state the Sum so by him received, and for what Gales Rent, and for what Land or Hereditaments, and on what Account the same shall be paid to him.

Fees to be
 taken by
 Receivers and
 Collectors.

VI. And be it further enacted, That the said Receivers and Collectors, and every of them, shall and may demand and receive, from the Persons from whom they shall receive the said Quit Rents, Crown Rents, Composition, or other Rents, the respective Fees hereinafter mentioned, and no more or other Fee ; (that is to say,) for every Acquittance they shall give for every Sum not exceeding Twenty Shillings, the Sum of Sixpence and no more ; for every Sum above Twenty Shillings and not exceeding Five Pounds, the Sum of One Shilling and no more ; for every Sum above Five Pounds and not exceeding Fifteen Pounds, the Sum of One Shilling and Sixpence and no more ; and for every Sum above Fifteen Pounds, the Sum of Two Shillings and no more ; and where any such Acquittance shall be for Half a Year's Rent only, a Fee shall be paid equal only to Half the Fee which would have been payable for the whole Year's Rent.

Distinct Fees
 may be taken
 for several
 Rents included

VII. Provided nevertheless, and be it further enacted, That where One Person shall stand chargeable, in respect of different Lands or Hereditaments held by him, with the Payment of several and distinct Sums, or where more than One Year's Rent shall be paid

paid at the same Time, and One Acquittance only shall be given for what shall be so paid, the said Receivers or Collectors may demand and receive a distinct Fee, according to the Rate aforesaid, for each of the Rents, and for each Year's or Half Year's Rent, which shall be so paid, and which shall be included in such Acquittance.

' VIII. And Whereas the several Acquittances to be made and given pursuant to this Act may be lost or mislaid ; For preventing any Prejudice thereby to the Person concerned, be it further enacted, That every such Receiver and Collector as aforesaid shall every Year prepare a Book wherein he shall enter all the Receipts or Acquittances by him given for all and every the aforesaid Rents, under his Hand, and in the Presence of the Parties paying the same respectively ; which Receipts the said Parties, or any other on their Behalf, may set their Names to ; for every which Entry the said Receivers and Collectors shall and may demand and receive Two Pence (over and above the Fees aforesaid) ; and the said Receivers and Collectors respectively shall yearly return the said Books, under their Hands and on their Oaths, into the Office of Public Records in *Ireland* wherein the Two-penny Books of the Collection of Crown Rents heretofore returned, pursuant to the Provision in that Behalf of the said recited Act of the Ninth Year of the Reign of His late Majesty King *William* the Third, are or shall be deposited, and the same shall there remain and be kept, not only as a Charge on such Receivers respectively, but also as a Discharge to the Subject for all Sums thereby appearing to be paid as aforesaid.

in one Acquittance.

Collectors to enter their Receipts in a Book (which the Parties may sign), and return the same to the Public Record Office.

IX. And be it further enacted, That from and after the Commencement of this Act all the Possessions and Land Revenues of the Crown in *Ireland* shall be inalienable, except in the Manner and under the Powers and Provisions hereinafter contained ; and the same (with the Exceptions hereinafter particularly mentioned) shall be under the exclusive Management of the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, appointed and to be appointed under and by virtue of the said Act of the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown and Surveyor General of His Majesty's Woods, Forests, Parks, and Chases* ; subject only to the Control of the Lord High Treasurer or the Commissioners for the Time being of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, in manner herein-after mentioned.

The Land Revenues of the Crown in *Ireland* placed under the Management of the Commissioners of Woods and Forests.

X. And be it further enacted, That it shall be lawful for the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, at any Time hereafter, to abolish or reduce any Office or Offices connected with the Management of the Possessions and Land Revenues of the Crown in *Ireland*, or the Collection and Receipt of the annual Income thereof, which shall appear to him or them to be rendered useless by the Regulations contained in this Act, and on such Abolition or Reduction to discharge the Officer or Officers by whom such Office shall be filled, whether the Appointment of such Officer or Officers shall have been by Letters

The Treasury may abolish any Offices connected with the present Management thereof.

Patent under the Sign Manual, or otherwise, and also where any Office shall relate to the Management of the said Possessions and Land Revenues, or the Collection and Receipt of the annual Income thereof, to discharge any Officer or Officers from the Performance of any Duties connected with the said Management, Collection, or Receipt, without altogether abolishing his or their Office or Offices, whenever such Abolition, Reduction, or Discharge may appear to the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to be expedient for the Public Service; any Act or Acts, or any Law, Usage, or Custom to the contrary notwithstanding.

Treasury may
remove
Records, &c.

XI. And be it further enacted, That it shall be lawful for the said Lord High Treasurer, or the Commissioners for the Time being of His Majesty's Treasury, or any Three of them, to cause any Records or other Muniments, Documents, Instruments, Maps, Books, or Writings, now in the Keeping or Possession of any of the Offices or Officers which may be reduced or abolished under the Authority of this Act, to be removed from any Office or Offices in which the same are now or shall at any Time hereafter be kept or deposited, to any other Office or Place which the said Commissioners of His Majesty's Treasury shall think proper to appoint for that Purpose.

Power to Com-
missioners of
Woods, &c. to
sell Rents and
other Posses-
sions of the
Crown in Ire-
land.

XII. And be it further enacted, That from and after the Commencement of this Act it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, and they are hereby authorized and empowered, from time to time, to contract and agree with any Person or Persons, or any Body or Bodies Politic or Corporate, (the Statutes of Mortmain, or any other Statute or Law to the contrary notwithstanding,) for the Sale of, and absolutely to make sale and dispose of for the best Price or Consideration in Money which can be reasonably obtained for the same, any Part or Parts of the Possessions or Land Revenues of the Crown in *Ireland*, whether the same shall consist of any of the Quit Rents, Crown Rents, and Chiefries, which by the said recited Act of the Eleventh and Twelfth Years of the Reign of His late Majesty King *William* the Third are declared to be inalienable, or of any other Quit Rents, Crown Rents, Chiefries, or any Honours, Manors, Lordships, Royalties, or Franchises, or any Rights, Members, or Appurtenances thereof or thereto belonging or appertaining, or of any Towns, Lands, Messuages, Rectories, Tithes, Fairs, Markets, Ferries, Fisheries, Mines, Minerals, Collieries, Woods, Wood Ground, Fens, Marshes, Waste Lands, or any other Tenements or Hereditaments whatsoever, as well such as are now the Property of His Majesty in Right of His Crown, as also (subject nevertheless to the Proviso hereinafter contained) all such as hereafter shall be the Property of His Majesty, His Heirs or Successors, in Right of the Crown, under any Conviction, Attainder, Escheat, or Forfeiture, or otherwise howsoever; any thing in the said recited Act of the Eleventh and Twelfth Years of the Reign of His late Majesty King *William* the Third, or of any other Statute, Law, or Usage, to the contrary in anywise notwithstanding.

XIII. And

XIII. And be it further enacted, That whenever the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being shall have contracted or agreed with any Person or Persons, or Body or Bodies Politic or Corporate, for the Sale to him, her, or them of any of the Possessions or Land Revenues of the Crown hereby authorized to be sold, the Purchaser or Purchasers, in case the Purchase Money shall exceed the Sum of One hundred Pounds, shall cause the same to be paid into the Bank of *England* or the Bank of *Ireland*, and the Cashiers of the Bank of *England* or Bank of *Ireland*, as the Case may be, or One of such Cashiers, shall, upon the Production of any Note, signed by Two of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, specifying the Sum so paid and that it is paid in for the Purchase of certain Parts of the Possessions and Land Revenues of the Crown in *Ireland*, accept and receive the same, and carry the same to the Account to which it ought to be carried under the Provisions hereinafter contained, and give a Receipt for the same, without Fee or Reward; but if such Purchase Money shall not exceed the Sum of One hundred Pounds, it shall not be necessary for the Purchaser or Purchasers to pay the same into the Bank of *England* or Bank of *Ireland*, but it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, to receive the same, either by themselves or their Receivers, Collectors, or any Agents to be appointed by them for that Purpose; and the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall, on the Payment to them, their Receiver, Collector, or Agent, of such Purchase Money, if the same shall not exceed One hundred Pounds, or if the same shall exceed One hundred Pounds, then on the Production of the Receipt of the Cashiers or of One of the Cashiers of the Bank of *England* or Bank of *Ireland* for the same, execute to the Purchaser or Purchasers a Conveyance under their Hands and Seals, or the Hands and Seals of any Two of them, of the Premises agreed to be sold, and give a Receipt for the Purchase Money under their Hands, or the Hands of any Two of them; and every such Conveyance and Receipt shall be according to the Forms respectively set forth in the Schedule to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and every such Conveyance shall be valid and sufficient to pass the Lands, Rents, Tenements, or Hereditaments to which the same shall relate; and the Person or Persons, or Body or Bodies Politic or Corporate, to whom or to whose Use the same shall be conveyed, shall hold the same for such Estate or Estates, to such Uses, and upon and for such Trusts, Intents, or Purposes as shall be in and by such Conveyance, or by Reference therein to any other Instrument or Deed, expressed or declared of or concerning the same, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under him or them, as fully and amply, to all Intents and Purposes, as His Majesty, His Heirs and Successors, might or could have held and enjoyed the same if such Sale had not taken place; and every such Conveyance and Receipt shall be attested as to the signing thereof by the said Com-

Upon Payment of the Purchase Money in manner herein described, Conveyances to be executed by the Commissioners of Woods and Forests.

missioners by at least One Witness; and every such Receipt, whether of the Cashiers of the Bank of *England* or of the Bank of *Ireland*, or of One of such Cashiers, or of the said Commissioners, or any Two of them, shall effectually discharge the Purchaser or Purchasers, to whom the same shall be given, of and from the Consideration or Purchase Money therein expressed; and such Purchaser or Purchasers shall never afterwards be liable to be called upon, sued, troubled, molested, or questioned, for or in respect thereof or of any Part thereof; and every such Conveyance shall be good, valid, and complete without being registered; the Act of the Parliament of *Ireland*, passed in the Sixth Year of the Reign of Her late Majesty Queen *Anne*, or any other Act for the Registration of Deeds, Conveyances, or other Instruments in *Ireland*, to the contrary notwithstanding.

Duplicates of Conveyances made by Commissioners to be transmitted to the Record Office in Ireland.

XIV. And be it further enacted, That in every Case where any such Conveyance as aforesaid, or any Conveyance or any Exchange as hereinafter is mentioned, shall be executed by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, the said Commissioners shall, as soon as conveniently may be after such Conveyance shall have been executed, transmit a Duplicate thereof to the Office of Record in *Ireland*, in which the original Rentals or Rent Rolls of the King's Rents shall be preserved; and every such Duplicate shall be there preserved, and shall be and remain of Record among the other Records and Muniments preserved in such Office.

Such Duplicates, or attested Copies thereof, shall be Evidence of Title.

XV. And be it further enacted, That not only the original Conveyance to be granted to the Purchaser or Purchasers as hereinbefore directed, but also the Duplicates thereof to be so transmitted as aforesaid, or Copies of such Duplicates attested by the Officer for the Time being in whose Custody the same shall remain, (and which Copies the said Officer is hereby authorized and required to grant to any Person applying for the same, on Payment of a Fee of One Shilling for every such Copy, and if the same shall consist of more than Seventy two Words, then of a further Fee of One Shilling for every Seventy two Words over the first Seventy two Words,) shall be admitted in all Courts of Law and Equity as Evidence of the Title of the Purchasers, and all Persons claiming under them, to the Rents or other Hereditaments to which such Conveyances shall respectively relate.

But the Purchaser's Title shall be complete without the Duplicate being recorded.

XVI. Provided always, and be it further enacted and declared, That the Title of any Purchaser or Purchasers of any Rent or other Hereditaments shall not be impeached by reason of the Non-transmission of any such Duplicate Conveyance as aforesaid; but such Transmission shall be considered merely as a Duty imposed on the said Commissioners, and not as a Duty to be performed or interfered in by the Purchasers of any Rents or other Hereditaments under the Provisions of this Act.

Conveyances of Rents sold under this Act to express whether the same shall be extinguished or enjoyed by the Purchaser.

XVII. And be it further enacted, That where any Quit Rent or other Rent shall be purchased under the Authority of this Act, it shall be expressed in the Conveyance thereof whether the same is to become extinguished, or whether the same is to be held and enjoyed by the Purchaser or his Trustee or Trustees; and in all Cases where the Conveyance shall express that the Rent is to become extinguished, the same shall, immediately upon the Execu-
tion

tion of the Conveyance, cease and become extinguished; and in all Cases where the Conveyance shall express that the Rent is to be held and enjoyed by the Purchaser or his Trustee or Trustees, the same shall, from and after the Execution of the Conveyance, become and remain vested in the Purchaser or Purchasers, or his, her, or their Trustee or Trustees, and his, her, or their Heirs or Successors and Assigns, and shall be paid and payable to them by Two even Half-yearly Payments on the Twenty fifth Day of *March* and Twenty ninth Day of *September* in every Year; and every such Purchaser or Trustee, his or her Heirs and Assigns, shall have the like Remedy for recovering such Rents by Distress, and by impounding and selling the same, as in case of Rent Charges.

XVIII. And be it further enacted, That where any Rent shall be purchased under the Authority of this Act, which shall not be extinguished, but shall subsist for the Benefit of the Purchaser, the Fees on such Rent hereinbefore made payable by the Persons subject to the same shall be considered for all Purposes as Part of the Rent so purchased, and shall be payable to the Purchaser, his Heirs or Successors and Assigns, together with the Rent, in the same Manner as the said Fees would have been payable, under the Provisions hereinafter contained, to the Collectors or Receivers of such Rents if the same had not been sold; and the Purchaser of every such Rent, his Heirs or Successors and Assigns, shall have the same Remedies for recovering the said Fees as are hereinbefore given for recovering the Rent itself.

XIX. And Whereas in many Grants of Lands by Letters Patent from the Ancestors or Predecessors of His Majesty, reserving Rents, several Denominations or Parcels of Land are granted by the same Grant, and in some of such Grants the several Proportions of Rent for the several Denominations or Parcels of Land, or for some of them, are set forth, and in others of such Grants the several Proportions of Rent for the several Denominations or Parcels of Land are not set forth; but the Court of Exchequer in *Ireland*, in all Cases where Lands or Hereditaments comprised in One Grant from the Crown, and jointly liable to One Rent, have become subdivided amongst several Proprietors, exercises a Jurisdiction of apportioning such Rent as between the several Proprietors of the Lands and Hereditaments subject thereto, with a Reservation of the Right of the Crown: And Whereas, for the Encouragement of Persons to purchase, under the Provisions of this Act, the Rents charged on their Lands and Hereditaments, it will be desirable that any Persons seised of or interested in any Lands or Hereditaments liable jointly with other Lands or Hereditaments to a gross Rent, which shall have been so apportioned by the original Grant, or by the Court of Exchequer, should be enabled, by the Purchase of that Proportion of the gross Rent which by such Apportionment shall have been made specifically payable in respect of their Lands and Hereditaments, entirely to exonerate such their Lands and Hereditaments, as well from the Portion of Rent so specifically made payable in respect thereof, as also from all Liability in respect of the other Portions of the gross Rent charged on the Lands comprised in the same Grant; Be it therefore further enacted, That whenever any Person or Persons, or

Fees hereafter made payable in lieu of Fees under 9 W. 3. c. 6. to remain payable to Purchasers.

On Purchase of apportioned

Rents, the
Lands to be
entirely dis-
charged.

Body or Bodies Politic or Corporate, shall purchase under this Act, in order that the same may become extinguished, any Portion of any Rent which shall have been so apportioned either by the original Grant or by the Court of Exchequer as aforesaid, then and in every such Case the Lands and Hereditaments upon which the Portion of Rent so purchased shall have been so specifically charged shall be and the same are hereby exonerated and discharged, not only from the Portion of Rent so purchased, but also of and from all other Portions of the Rent reserved by the same Grant; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding: Provided nevertheless, that any such Exoneration and Discharge shall not affect the Right of the Crown to recover, against the Remainder of the Lands and Hereditaments comprised in the same Grant, the remaining Portions of the Rent thereby reserved.

Trustees for
incapacitated
Persons au-
thorized to
purchase.

XX. And be it further enacted, That it shall be lawful for the Committee or Committees of any Lunatic, or the Guardian or Guardians of any Infant, or the Trustee or Trustees of any Feme Covert, or other Person under any Incapacity, which Lunatic, Infant, Feme Covert, or other incapacitated Person may be interested in any Hereditaments upon which any Rent or Rents hereby authorized to be sold may be charged, to contract for and purchase such Rent or Rents on Behalf of such Lunatic, Infant, Feme Covert, or other incapacitated Person, and to apply any Monies in their or his Hands belonging to such Lunatic, Infant, Feme Covert, or other incapacitated Person for that Purpose; and this Act, without any further Authority, except in the Instance hereinafter mentioned, shall be a sufficient Indemnity to every such Committee, Guardian, and Trustee, for the Application of the Money applied in such Purchase, and in Payment of the Expences attending the same: Provided nevertheless, that if the Purchase Money shall exceed the Sum of Two hundred Pounds, the same shall not be so applied without the Sanction and Authority of the High Court of Chancery in *Ireland* (which Sanction and Authority the said Court is hereby empowered to give, on Petition in a summary Way or otherwise, as to the same Court shall seem fit); any thing hereinbefore contained to the contrary in anywise notwithstanding.

But if the
Purchase
Money shall
exceed 200l.
with Sanction
of the Court of
Chancery.

XXI. And Whereas Cases may occur in which it may be desirable that the Rents hereby authorized to be sold should be purchased, in order that the same may become extinguished; but by reason of the Hereditaments out of which the same are issuing not being vested in any Person for an Estate of Fee Simple in Possession, or by reason of some Incapacity in the Owner thereof, special Provisions may be expedient for facilitating such Purchases; Be it therefore enacted, That it shall be lawful for any Tenant for Life or Lives, Tenant in Tail, or Tenant for any determinable Fee of any Hereditaments out of or upon which any Rent or Rents hereby authorized to be sold may be issuing or charged, and for the Committee or Committees of any Lunatic, the Guardian or Guardians of any Infant, or the Trustee or Trustees of any Feme Covert, or other Person under any Incapacity, or the Husband of any Feme Covert, which Lunatic, Infant, Feme Covert, or other incapacitated Person shall be

Tenants of par-
ticular Estates
authorized to
raise Money to
redeem Quit
Rents.

be Owner of or beneficially interested in any such Hereditaments as aforesaid for Life, in Tail, or in Fee, either absolute or determinable, by any Deed or Deeds in Writing, to raise any Sum or Sums of Money for the Purpose of purchasing such Rent or Rents and paying the Expences attending such Purchase, by Mortgage of the said Hereditaments, either in Fee Simple or for any Term of Years, or by Sale of a sufficient Part thereof, or otherwise to charge and incumber the same with such Sum or Sums, and the Interest thereof, in such Manner as he or they shall think proper; and every such Sale, Mortgage, Charge, and Incumbrance shall be good and valid in the Law against all Tenants in Remainder or Reversion, and all other Persons interested in or entitled to the Premises so sold, mortgaged, charged, or incumbered, and all other Persons entitled to or claiming any Debt, Charge, or Incumbrance affecting the Premises so sold, mortgaged, charged, or incumbered, and such Mortgages, Charges, and Incumbrances shall have Priority to all other Debts, Charges, and Incumbrances on the same Premises: Provided nevertheless, that if such Purchase Money shall exceed the Sum of Two hundred Pounds, the same shall not be so raised without the Sanction of the Court of Chancery in *Ireland*, which Sanction the said Court is hereby authorized to grant upon Petition, in a summary Way or otherwise, as to the same Court shall seem fit; any thing hereinbefore contained to the contrary notwithstanding.

‘ XXII. And Whereas, under the Acts heretofore in force for the Sale and Disposal of the Land Revenues of the Crown in *Ireland*, various Sales have taken Place of Lands, Rents, and other Hereditaments, the Property of the Crown, but Doubts have been entertained as to the Validity of some of such Sales, and of the Conveyances, Certificates, or other Instruments executed and given in pursuance thereof, either from some Defects in the Acts under which the same were respectively made, or from the Provisions of the said Acts not being properly complied with, or from other Causes, and in some Cases by reason of such Sales having been made after the Act under which the same purported to be made had been repealed: And Whereas it will be advisable that Power should be given to the said Commissioners for the Time being of His Majesty’s Woods, Forests, and Land Revenues (with the Sanction of the said Lord High Treasurer or Commissioners of His Majesty’s Treasury), to confirm the said Sales, where the same shall have been *bonâ fide* made and the Purchase Money actually paid;’ Be it therefore further enacted, That in every Case where any Lands, Rent, or other Hereditaments, Part of the Possessions or Land Revenues of the Crown in *Ireland*, shall have been sold under the Authority or supposed Authority of any of the Acts hereinbefore recited, or of any other Act heretofore passed relating to the Land Revenues of the Crown in *Ireland*, and the said Lord High Treasurer or Commissioners for the Time being of His Majesty’s Treasury, or any Three of them, shall be satisfied that the Contract for Sale was entered into *bonâ fide* by the Parties thereto, and upon the Supposition that such Sale could be legally effected by the Party by whom the same purported to be made, and shall also be satisfied that the Purchase Money contracted to be paid

was

Commissioners of Woods and Forests, with Sanction of the Treasury, may confirm Sales made under former Acts relating to Land Revenue.

was actually and *bonâ fide* paid by the Purchaser or on his Behalf, (as to which Matters a Recital to that Effect in the Deed or Instrument confirming any such Sale shall, so far as regards any Person or Persons claiming under such Deed or Instrument, be sufficient Evidence,) then and in every such Case it shall be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, or any Two of them, with the Sanction of the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three of them, to be testified by any Warrant under their Hands, on the Application and at the Costs and Charges of such Purchaser, his or her Heirs or Assigns, or of any Party or Parties claiming under such Purchaser, to confirm the same, and for that Purpose to convey for a nominal Consideration the Lands, Rents, or other Hereditaments so purchased or intended so to be to such Purchaser or other Party or Parties, or as he, she, or they shall appoint; and every such Conveyance may be either in the Form set forth in the Schedule hereto annexed for the Conveyance on any Sale, or in such other Form as the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, shall think proper; and in any such Conveyance it shall be lawful for the said Commissioners, with the Sanction of the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three of them, for the Time being, to insert a Declaration that the same shall take effect as from any Time anterior to the actual Execution thereof; and every such Conveyance shall be valid and effectual for the Purpose of vesting the Lands, Rents, or other Hereditaments to which the same shall relate in the Party or Parties to whom the said Lands, Rents, or other Hereditaments shall purport to be conveyed, and for such Interests respectively as shall by such Conveyance purport to be given; and every Conveyance in which any such Declaration as aforesaid shall be inserted shall relate back to the Time mentioned in such Declaration, and shall be deemed and construed, to all Intents and Purposes, to have been actually executed at that Time, and shall take effect accordingly: Provided always, that no Party to whom any Sale shall be so confirmed by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them as aforesaid, shall be bound to enquire whether they were duly authorized to confirm the same by the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three of them as aforesaid, or not, but such Confirmation shall, as far as the Party to whom the same shall be made, and all Persons claiming under him or them, shall be concerned, be valid and effectual, although the Commissioners by whom the same shall have been made shall not have been duly authorized as aforesaid to make it.

Purchasers not bound to enquire as to the previous Sanction of the Treasury having been obtained.

Commissioners empowered to buy in Crown Leases.

‘ XXIII. And Whereas it might be expedient and tend to the
 ‘ Improvement of the said Possessions of the Crown in *Ireland*, if
 ‘ the Commissioners for the Time being of His Majesty's Woods,
 ‘ Forests, and Land Revenues were authorized and empowered
 ‘ to purchase any Lease or Leases subsisting of or in any Houses,
 ‘ Buildings, Lands, or other Hereditaments belonging to the
 ‘ Crown in *Ireland*, where such Houses, Buildings, Lands, or He-
 ‘ reditaments

'reditaments shall be wanted with a view to the making Alterations or Improvements therein, or in any other Houses, Buildings, Lands, or Hereditaments belonging to the Crown adjacent or contiguous thereto, or for any other Purpose;' Be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, to contract and agree with any Body or Bodies Politic or Corporate, or any Person or Persons holding any Houses, Buildings, Lands, or Hereditaments belonging to the Crown, for any Term or Terms of Years, under any Letters Patent, Lease, Demise, or Grant from His Majesty, or any of His Royal Predecessors, for the Purchase of any such Term, or the Surrender of any such Terms, and such Letters Patent, Lease, or Grant, whether the Possession of the Houses, Buildings, Lands, or Hereditaments comprised in any such Term or Terms, Letters Patent, Lease, or Grant, be wanted with a view to the making any Alteration or Improvement therein, or in any other Houses, Buildings, or Hereditaments belonging to the Crown, near or contiguous thereto, or for any other Purpose, if the same shall by the said Commissioners, or any Two of them, be deemed eligible to be bought up for any such Purpose.

XXIV. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, possessed of or entitled to any Lease or Leases of any Houses, Buildings, Lands, Tenements, or Hereditaments which the said Commissioners of His Majesty's Woods, Forests, and Land Revenues may think it desirable to purchase under the Powers hereinbefore given, and for all Executors or Trustees, and for all Tenants for any Interest short of an absolute Interest in such Lease and Leases, and for the Guardians, Trustees, or Committees of such of the Persons interested in any such Leases as shall be Femes Covert, Infants, Lunatics, Idiots, or Persons beyond the Seas, or otherwise incapable of acting for themselves, to contract and agree with the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, or any Two of them, for the Sale of any such Lease or Leases as aforesaid, and to assign, transfer, or surrender the same accordingly; and every such Contract, Agreement, Assignment, Transfer, and Surrender shall be as good, valid, and effectual in Law, to all Intents and Purposes whatsoever, as if the same were made by a Person absolutely entitled to the Lease or Leases thereby contracted or agreed for, or assigned, transferred, or surrendered, and under no such Disability or Incapacity as aforesaid.

Incapacitated
Persons em-
powered to
sell.

XXV. Provided always, and be it further enacted, That where any such Lease shall be held by or in Trust for any Person or Persons under any Disability or Incapacity as aforesaid, or having only a partial or limited Interest therein or Power over the same, the Value thereof and of the Premises therein comprised shall in every such Case be ascertained by Two able practical Surveyors of Houses or Land, One of whom shall be nominated by the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, and the other by the Body Politic or Corporate, or Person or Persons contracting or agreeing to sell the same; and if such Two Surveyors shall not agree in the Valuation

In case of Con-
tracts with in-
capacitated
Persons, the
Premises to be
previously
surveyed.

ation thereof, then by such Third Surveyor of Houses or Land as the Two so appointed shall for that Purpose nominate; and each of the said Two Surveyors (if they shall agree in and make their Valuation, or if not, then the Surveyor so to be nominated by them as aforesaid,) shall annex to their or his Survey, Estimate, or Valuation, when completed, an Oath, (or, being One of the People called *Quakers*, an Affirmation,) to be subscribed by him, and taken before and certified by any Justice of the Peace or Magistrate for any County, City, or Liberty within the United Kingdom, who is hereby authorized to administer an Oath or Affirmation in that Behalf; the Form whereof shall be as follows :

Surveyor's
Oath.

‘ I *A.B.* do swear, [*or, being a Quaker, do solemnly affirm,*]
‘ That the Survey, Estimate, or Valuation hereunto annexed,
‘ was faithfully and impartially made by me; and that the Value
‘ of the Property therein described is justly estimated therein,
‘ according to the best of my Skill and Judgment; and that all
‘ the Particulars stated therein are true, to the best of my Know-
‘ ledge and Belief. So help me GOD.’

Oath and
Survey to be
filed.

Which Oath or Affirmation, when so subscribed, taken, and certified, shall be filed with the said Survey, Estimate, or Valuation, in the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being; and the Price or Consideration to be paid or given for the Purchase of such Lease shall in no Case be less than the Sum at which the same shall be estimated and valued in such Survey, Estimate, or Valuation as aforesaid.

Application of
Purchase
Money in Cases
of incapacitated
Persons, if
amounting to
50*l.*

XXVL And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any such Lease as aforesaid by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or entitled only to any partial or particular Estate, or Interest therein or Power over the same, such Money shall, in case the same shall amount to the Sum of Fifty Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privy of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account there *ex parte* the Purchaser, without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way or otherwise as to the said Court shall seem fit, in such Manner as the said Court shall think just and equitable, for the Benefit of the Party or Parties interested in or entitled to such Lease; and in the mean Time, and until the same shall be so applied, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be vested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled under such Lease

Lease to the Possession or to receive the Rents and Profits of the Messuages, Lands, or Hereditaments therein comprised.

XXVII. Provided also, and be it further enacted, That where such Money so agreed to be paid as last before mentioned shall not amount to the Sum of Fifty Pounds, then and in all such Cases the same shall be applied in such Manner as the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall think fit, for the Benefit of the Person or Persons interested in or entitled to such Lease.

XXVIII. And be it further enacted, That whenever it shall appear to the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, that it would be for the Advantage of the Land Revenue of the Crown to exchange any Parcel or Parcels of Land belonging to His Majesty, His Heirs and Successors, in *Ireland*, for any other Parcel or Parcels of Land belonging to any other Person or Persons, Body or Bodies Politic or Corporate, and such other Person or Persons or Body or Bodies shall consent to such Exchange, it shall be lawful for the said Commissioners, or any Two of them, to cause the Value as well of the said Parcel or Parcels of Land belonging to His Majesty, His Heirs or Successors, as of the said Parcel or Parcels of Land proposed to be exchanged for such Land of His Majesty, His Heirs or Successors, to be ascertained by some able and practical Surveyor of Land, who shall annex to his Survey, Estimate, or Valuation thereof, when completed, an Oath, (or being of the People called *Quakers*, an Affirmation,) taken and subscribed by him before any Justice of the Peace or Magistrate for any County, City, or Liberty within the United Kingdom, who is hereby respectively authorized to administer an Oath or Affirmation in that Behalf; the Form whereof shall be as follows; (that is to say,)

' I *A. B.* do swear, [*or, being a Quaker, do solemnly affirm,*]
' That the Survey or Account hereunto annexed was faithfully and impartially made by me; that the Value of the Property of the Crown and of *C. D.* therein contained is justly estimated therein, according to the best of my Skill and Judgment;
' and that all the Particulars stated in the said Survey or Account are true to the best of my Knowledge and Belief.
' So help me GOD.'

Which Oaths and Affirmations, so taken and subscribed, shall be filed with the Survey and Estimate in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; and the said Commissioners shall report to the said Commissioners of the Treasury the Grounds of their Recommendation of the proposed Exchange, together with the said Valuation of the respective Parcels of Land; and if the said Commissioners of the Treasury shall, upon due Consideration had, approve of such Exchange taking place, they shall authorize the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, to carry the same into Effect, upon such Terms and Conditions as they shall think fit, provided the same shall be assented to by the Person or Persons or Body or Bodies with whom such Exchange is proposed to

Where the same shall not amount to 50*l.*

Whenever any Exchange of Lands shall be thought expedient, a Valuation thereof to be made on Oath.

Surveyor's Oath.

Oath and Valuation to be filed.

to be made; and the said Commissioners of His Majesty's Woods, Forests, and Land Revenues shall thereupon cause the said Parcel or Parcels of Land belonging to His Majesty, His Heirs or Successors, to be conveyed to the Person or Persons or Body or Bodies respectively with whom the said Exchange is proposed to be made, or to their respective Trustees or Trustee; and such Person or Persons or Body or Bodies shall at the same Time convey to His said Majesty the said Parcel or Parcels of Land so agreed to be given in exchange for such Parcel or Parcels of Crown Land as aforesaid; and from and immediately after the Completion of such Exchange, the said Parcels of Land so belonging to His Majesty, and given in exchange as aforesaid, shall vest in the Person or Persons or Body or Bodies to whom the same shall be conveyed, for such Estate or Estates, Uses, Trusts, Intents, or Purposes as shall be in or by such Deeds or Instruments, or by Reference therein to any other Deeds or Instruments, expressed or declared of and concerning the same; and the said Parcels of Land so conveyed in exchange to His Majesty shall become Parts of the Possessions and Land Revenues of His Majesty, His Heirs and Successors, in Right of the Crown, and subject to the same Provisions, Powers, and Authorities in every respect, including the Powers and Provisions in this Act contained, as the other Possessions and Land Revenues of the Crown in *Ireland*.

Power to give
or receive
Money for
Equality of
Exchange.

XXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Treasury, or any Three or more of them, if they shall think fit, to direct the Payment or Acceptance, on Behalf of His Majesty, of such Sum of Money for equalizing any such Exchange as shall be agreed upon between the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, and the said Person or Persons or Body or Bodies with whom such Exchange is proposed to be made.

Form of Ex-
changes.

XXX. And be it further enacted, That it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues to act for and on Behalf of the King's Majesty, as well in making as accepting the Conveyances of Parcels of Land so intended to be exchanged as aforesaid; and the Conveyances of the Land so proposed to be given in exchange by His said Majesty, His Heirs or Successors, may be in the same Form as is set forth in the Schedule hereto annexed for the Conveyance of any Part of the Possessions or Land Revenues of the Crown on a Sale thereof, with the necessary Variation; and the Conveyance of the Land to be received in exchange may be according to the Form for that Purpose set forth in the Schedule to this Act annexed, or as near thereto as Circumstances will admit.

Power to the
Commissioners
to lease for 21
Years.

XXXI. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, from time to time to demise and lease any Manors, Messuages, Lands, Tithes, Tenements, or other Hereditaments, being Part of the present or future Possessions and Land Revenues of the Crown in *Ireland*, to any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, either in Possession or Reversion, for any Term

Term not exceeding Twenty one Years from the Time of granting such Lease.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, from time to time to demise and lease, either in Possession or Reversion, for any Term not exceeding Ninety nine Years from the Time of granting such Lease, any of the present or future Possessions or Land Revenues of the Crown in *Ireland* which may consist of Lands or Hereditaments, improvable either by building thereon or otherwise, to any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, who shall be willing to improve the same, and shall covenant or agree to improve the same, and to expend in the Improvement thereof, whether by erecting or building thereon any House, Mill, Manufactory, or other Erection or Building, or by rebuilding or repairing any House, Mill, Manufactory, or other Erection or Building then already standing or being on the same, or by embanking, draining, or inclosing, or bringing into Cultivation the same, or otherwise howsoever, to the Satisfaction of the said Commissioners, or any Two of them, such a Sum or Sums of Money as to the said Commissioners, or any Two of them, shall appear an adequate Consideration for granting the Interest by such Lease granted therein.

XXXIII. And be it further enacted, That on every Lease to be granted under the Powers and Provisions of this Act there shall be reserved and made payable to the King's Majesty, His Heirs and Successors, such clear yearly Rent as to the said Lord High Treasurer, or Commissioners for the Time being of His Majesty's Treasury, or any Three of them, shall appear reasonable; and that on the granting of any such Lease or Leases it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, and they are hereby empowered, to take a Fine or Fines in lieu of any Portion not exceeding One Third of the annual Sum which shall be deemed by the said Lord High Treasurer, or Commissioners for the Time being of His Majesty's Treasury, or any Three of them, a reasonable Rent or Rents for the same, reserving the remaining Portion of such Sum by way of Rent; and the Amount of such Fine shall not be less than the Sum to which the Portion of the annual Sum in lieu of which the same shall be taken would have amounted during the Term to be granted, deducting a Discount, to be computed at no higher Rate than the highest legal Rate of Interest in *Ireland* at the Time of granting such Lease; and on any Lease being granted under the Powers and Provisions of this Act, a Counterpart thereof shall be executed by the Lessee or Lessees therein named; and such Lessee or Lessees shall thereby covenant for the Payment of the Rent or Rents, and the Observance and Performance, on his or their Part, of the Covenants, Provisions, and Agreements in such Lease to be reserved and contained.

XXXIV. And be it further enacted, That it shall not be lawful to renew any Lease or Grant of any of the said Manors, Messuages, Lands, Tithes, Tenements, or other Hereditaments, Part of the present or future Possessions or Land Revenues of the Crown in *Ireland*, or to make any Demise or Grant thereof in Reversion, until

Power to grant building and improving Leases for 99 Years.

On Leases, Fines may be taken to the Extent of One Third of the Value of the Rent.

Leases for 91 Years not to be renewed till within Five Years of the Expiration of

the subsisting Lease, and Leases for 99 Years not till within 20 Years.

Survey to be made before any Lease for longer than 21 Years is granted.

until within Five Years of the Time of Expiration of the subsisting Lease or Grant thereof, except such Lands and Hereditaments as are hereby authorized to be demised for any Term not exceeding Ninety nine Years; nor to renew any Lease or Grant of any of such Lands or Hereditaments as are hereby authorized to be demised for any Term not exceeding Ninety nine Years, or to make any Demise or Grant thereof in Reversion, until within Twenty Years of the Period of the Expiration of the subsisting Lease or Grant thereof.

XXXV. Provided always, and be it further enacted, That before the making any Lease for any longer Period than Twenty one Years, under the Powers hereinbefore contained, a Survey of the Premises, where the same shall be capable of such Survey, and an Estimate of the improved annual Value thereof, shall be had and made by such able and practical Surveyors as shall be named for that Purpose by or under the Order and Direction of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, or any Two of them; and the said Surveyors shall certify by their Reports, in Writing under their Hands, what in their Judgment is the true and fair improved annual Worth or Value of the respective Estates so by them surveyed and valued, clear of all Taxes, Assessments, and Reprizes whatever, and also such Particulars respecting the State and Condition and possible Improvement thereof as shall be necessary for forming a true Judgment of the Value of the Property, and of the most beneficial Appropriation thereof for the Interest of the Crown; and every Person who shall be employed to make Surveys and Estimates or Valuations of any such Manors, Messuages, Lands, Tenements, Rents, Tithes, Woods, or other Hereditaments as aforesaid, shall annex to each Survey and Estimate or Valuation, an Oath, (or, being of the People called *Quakers*, an Affirmation,) taken and subscribed by him before any One of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Justice of the Peace or Magistrate for any County, City, or Liberty within the United Kingdom; the Form whereof shall be as follows:

Surveyor's Oath.

' I *A. B.* do swear, [*or, being a Quaker, do solemnly affirm,*] That the Survey or Account hereto annexed was faithfully and impartially made by me; that the Value of the Property of the Crown therein contained is justly estimated therein, according to the best of my Skill and Judgment; and that all the Particulars stated in the said Survey or Account are true, to the best of my Knowledge and Belief. So help me GOD.'

Which Oath or Affirmation, so taken or subscribed, shall be filed with the Survey and Estimate in the proper Office for depositing the same.

In certain Cases, Survey may be omitted.

XXXVI. Provided always, and be it further enacted, That where, from the Nature of any Lands, Tenements, or Hereditaments of which a Lease or Grant may be intended to be made, or from any Circumstances relative thereto, the annual Worth or Value thereof cannot be known or ascertained by the means of a Survey or Inspection thereof, or where the Value of such Lands, Tenements, or Hereditaments shall be previously known

to be so small or inconsiderable that it shall not be deemed expedient to incur the Expence of taking a Survey thereof, or when such Lands, Tenements, or Hereditaments shall have been previously surveyed and valued by Order of and under the Direction of any Commissioners appointed by the Lord Lieutenant of *Ireland* to enquire into the State of the Crown Lands in *Ireland*, at any Time since the Year One thousand eight hundred and twenty, and a Report of such Survey and Valuation shall have been made on Oath, and shall be deposited at any Time hereafter in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, then and in any such Case it shall and may be lawful to grant or renew a Lease of such Tenements or Hereditaments, without causing a Survey or Estimate to be previously made thereof, if the said Lord High Treasurer, or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall so order and direct.

XXXVII. Provided always, and be it further enacted, That no Purchase or Sale, except any Purchase or Sale where the Purchase Money shall not exceed One hundred Pounds, and no Exchange or Lease shall be made of any Estates, Lands, or other Hereditaments, by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, under the Powers of this Act, without the Authority of the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being: Provided nevertheless, that such Authority may be either generally given, or given specially for any particular Class of Cases, or for any particular Purchase, Sale, Exchange, or Lease, and either with or without any Condition or Restriction, as to the said Lord High Treasurer, or Commissioners for the Time of His Majesty's Treasury, or any Three or more of them, may seem meet: Provided also nevertheless, that no Party to, from, or with whom any Sale, Purchase, Lease, or Exchange shall be made by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, under the Powers of this Act, shall be bound to enquire whether the said Commissioners were duly authorized to make the same by the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three of them as aforesaid, or not, but such Sale, Purchase, Lease, or Exchange, so far as the Party to, with, or from whom the same shall be so made, and all Persons claiming under him or them, shall be concerned, shall be valid and effectual, although the Commissioners by whom the same shall have been made shall not have been duly authorized as aforesaid to make it.

XXXVIII. And be it further enacted, That no Memorandum, Contract, or Agreement to be made or entered into by or with the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, under the Powers and Provisions of this Act, for the Sale, Purchase, or Exchange of any Estates, Manors, Lordships, Messuages, Lands, Tenements, Rents, or Hereditaments, or any Term or Interest therein, by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, nor any Certificate, Receipt, Deed, or other Instrument which shall be given, granted, entered into, or made for the Purpose of carrying into Effect any Sale, Purchase,

Sales, &c. to be made under Warrant from the Treasury.

Conveyances &c. to be free from Stamp Duty.

chase, or Exchange, to be made by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, under the Powers and Authorities of this Act, or which shall be incidental to or connected with any such Purchase, Sale, or Exchange, nor any Lease or Contract, or Agreement for any Lease or Leases, nor any Counterpart of any Lease, nor any Assignment or Surrender of any such Lease or Leases to be entered into, made, or granted by virtue of this Act, shall be subject or liable to any *ad valorem* or other Stamp Duty whatsoever imposed by any Act or Acts now in force, nor to any *ad valorem* or other Stamp Duty to be imposed by any future Act or Acts, unless the same be specially subjected thereto in and by such future Act and Acts.

No Auction
Duty on Sales
made under
this Act.

XXXIX. And be it further enacted, That no Auction Duty shall be payable in respect of any Sale by Auction by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, of any Part or Parts of the Possessions or Land Revenues of the Crown in *Ireland*, under the Powers and Authorities of this Act, or of any building Materials, or any other Goods, Chattels, or Effects on behalf of the Crown; but every such Sale, and the Lands and Hereditaments or other Property or Effects so sold, and the Auctioneer or Auctioneers, so far as respects any such Sale, shall be wholly exempt from all Rates or Duties imposed on Sales by Auction by any Act or Acts now in force, and from all Rates and Duties to be imposed by any future Act or Acts, unless the same shall be specially subjected thereto by any such future Act or Acts.

Commissioners
to appoint Re-
ceivers of
Crown Rents,
&c.

XL. And be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall from time to time hereafter, when and as Occasion shall require, by and with the Consent and Approbation of the said Lord High Treasurer, or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them (such Consent and Approbation to be signified by any Minute of the said Lord High Treasurer or Commissioners in Writing, or by Letter from any One of his or their Secretaries in pursuance of any such Minute), nominate and appoint such and so many Persons as they shall think requisite or necessary, to be Receivers of the Rents, Issues, Revenues, and Profits of all and singular His Majesty's Honours, Castles, Lordships, Towns, Manors, Lands, Tenements, Rents, Services, and other Hereditaments and Possessions in *Ireland*; and that every such Appointment shall and may be made by Warrant under the Hands and Seals of the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them; and every such Warrant may be in the Form or to the Effect in the Schedule annexed to this Act, or as near thereto as Circumstances will permit, and shall be exempt from any Stamp Duty whatever, and shall be enrolled, within One Calendar Month after the Date thereof, in the Office of Record in which the Rentals or Rent Rolls of the King's Rents in *Ireland* shall be preserved.

Receivers to
give Security.

XLI. And be it further enacted, That every such Person so to be appointed a Receiver as aforesaid shall, before he shall exercise or execute the said Office, or anywise intermeddle in the Exercise or Execution thereof, enter into a Bond or Obligation in
such

such Penalty and with such Sureties as the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, with the Consent and Approbation of the said Lord High Treasurer or Commissioners of His Majesty's Treasury, to be signified in manner aforesaid, shall direct or require, for the faithfully answering and accounting for the Rents, Issues, Revenues, and Profits to be by him received by virtue of such his Appointment, and for the doing, executing, and performing all such Services and Duties as are hereby required, or shall, by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, be from time to time directed or required to be done or performed in relation to such Office as aforesaid; and every such Bond may be in the Form or to the Effect in the Schedule to this Act annexed, or as near thereto as Circumstances will permit, and shall be exempt from any Stamp Duty whatsoever, and shall have the Effect of a Statute Staple to His Majesty, His Heirs or Successors, for the answering and Payment of all and every Sum or Sums to become payable by virtue thereof, and shall be enrolled in the said Office of Record in *Ireland* in which the Rentals or Rent Rolls of the King's Rents in *Ireland* shall be preserved, within the Space of One Calendar Month next after the Date thereof, and shall be deposited and kept in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues.

XLII. And be it further enacted, That every Receiver so to be appointed as aforesaid shall collect and receive the Rents, Issues, Revenues, Profits, and annual Income of all His Majesty's Lands, Tenements, Rents, Tithes, and Hereditaments within the District or Division for which he shall be appointed, and shall account for and pay over the Sums so received by him, in such Manner and at such Times as the said Commissioners of His Majesty's Woods, Forests, and Land Revenues shall from time to time appoint, and shall perform such other Duties connected with or relating to His Majesty's Lands, Tenements, Rents, Tithes, and Hereditaments within the District or Division for which he shall be appointed, as shall from Time † be required by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, and shall in all respects obey and conform to such Rules, Orders, and Regulations as shall be from time to time made by the said Commissioners, or any Two of them.

Duties of
Receivers.

† &c.

XLIII. And be it further enacted, That it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, to allow to every Receiver of the Rents, Issues, Revenues, Profits, and annual Income of His Majesty's said Lands, Tenements, Rents, Tithes, and Hereditaments to be appointed under this Act, such Salary, Wages, or other Recompence, for his Trouble in Discharge of his Office, and for any other Services to be performed by him in relation to the Possessions or Property of the Crown in the District or Division for which he shall be appointed; or such Commission, not exceeding One Twentieth Part of the Sums to be collected and received by him, as to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, shall from time to time seem proper.

Allowance to
Receivers.

Provision in
case of Re-
ceivers retain-
ing Balances in
their Hands.

XLIV. And be it further enacted, That in case any such Receiver as aforesaid shall at any Time have received or got into his Hands any Sum or Sums of Money belonging to the Crown exceeding the Sum of Five hundred Pounds, and shall not, within One Calendar Month after the Receipt thereof, give Notice thereof in Writing to the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, to the Intent that the same may from time to time thereafter be drawn out, called for, or applied, as Occasion may require, then and in every such Case such Receiver shall be charged and chargeable with Interest for every such Sum, at such Rate, not exceeding the Rate of Ten Pounds for every One hundred Pounds by the Year, as the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, shall in that Behalf appoint, from the Day or Time, Days or Times at which it shall have been so received, until it shall be drawn out of his Hands, or paid over by him to the Person or Persons or in the Manner directed by the said Commissioners.

Receivers may
distrain for
Rents in
arrear.

XLV. And be it further enacted, That it shall be lawful for every Person who shall be so appointed Receiver as aforesaid, and he is hereby authorized and empowered by virtue of such his Appointment, alone and without any further Order, Warrant, or Authority whatsoever, by himself or any Person or Persons whom he shall for that Purpose depute, to make any Distress or Distresses for any Rent or Rents which shall be due, in arrear, or unpaid, and which shall be in the Collection or Receipt of such Receiver, and the Goods, Chattels, and Effects so distrained to impound, sell, and dispose of; and all Sheriffs, Mayors, Justices, Bailiffs, Constables, Headboroughs, and other Officers and Ministers of Justice, are hereby directed and required to be aiding and assisting such Receiver, or his Substitute or Substitutes, in the making such Distress or Distresses, and the impounding, selling, and disposing of the Goods, Chattels, or Effects so to be taken or distrained, and in all other Matters relating thereto, or to the Execution of the said Office, as Occasion shall require: Provided always, that every such Receiver shall and he is hereby required, in making or causing to be made any such Distress, and in relation to any Question or Questions at Law or otherwise which may arise thereupon, to obey and conform to all such Orders and Regulations as shall be given him in that Behalf by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them.

Collectors of
Excise to con-
tinue to
receive Rents
until Receivers
shall be ap-
pointed under
the Powers of
this Act.

XLVI. And Whereas the Rents due to the Crown in *Ireland* have hitherto been received by the Collectors of Excise, and it will be most convenient that the same should continue to be collected and received by them until Receivers thereof shall be duly appointed under the Provisions hereinbefore contained; Be it therefore further enacted, That until Receivers of the Rents, Issues, Revenues, and Profits of His Majesty's Honours, Castles, Lordships, Towns, Manors, Lands, Tenements, Rents, Services, and other Hereditaments and Possessions in *Ireland*, shall have been duly appointed under the Provisions of this Act, it shall and may be lawful to and for the several Collectors of Excise for the Time being in the Districts in which any such Honours, Castles,
3
Lord-

Lordships, Towns, Manors, Lands, Tenements, Rents, Services; and other Hereditaments or Possessions shall be situated, or in which such Rents, Issues, Revenues, and Profits shall be respectively payable, to continue to receive the said Rents, Issues, Revenues, and Profits; and such Collectors shall have all the Powers and Authorities hereby given to the Receivers to be appointed under this Act, and shall exercise and perform all the Offices and Duties which the said Receivers are hereby authorized and required to exercise and perform, and shall be subject to the same Provisions and Penalties in every respect as the said Receivers are hereby subjected to, except so far as the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, or any Two of them, shall otherwise specially direct by any Writing under their Hands; and such Collectors shall be entitled to demand and receive the several Fees which the Receivers to be appointed under this Act are hereinbefore authorized to receive.

XLVII. And be it further enacted, That it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, and they are hereby authorized and empowered, to give any Notice, to make any Claim or Demand, and to depute or authorize any Person or Persons to make any Entry which shall be requisite or expedient to be given or made by or on behalf of His Majesty, His Heirs or Successors, with a view either to compel any Tenant, Lessee, or Occupier of any of the said Possessions or Land Revenues of the Crown in *Ireland* to quit or deliver up the Possession thereof, or to compel the Performance of any Covenant, Contract, or Engagement in relation thereto, or to recover Possession on Non-performance of any Covenant, Contract, or Agreement, or to compel the Payment of any Sum of Money which ought to be paid in respect thereof, and to give any other Notice, make any other Claim or Demand, and depute any Person or Persons to make any other Entry which shall or may be requisite or expedient to be given or made by or for or on the Behalf of His Majesty, His Heirs or Successors, touching any of the said Possessions or Land Revenues of the Crown in *Ireland*; and that every such Notice, Claim, or Demand which shall be given or made in Writing under the Hands of the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, for any of the Purposes aforesaid, and every Entry which shall be made by any Person or Persons by them deputed or authorized to make the same on the Behalf of His Majesty, His Heirs or Successors, into or upon any of the said Estates or Possessions, shall be good, valid, and effectual to all Intents and Purposes whatsoever, and shall have such and the like Force and Effect as if the same were respectively given or made by His Majesty, His Heirs or Successors; and all such Notices, Claims, Demands, or Entries shall respectively be deemed, construed, and taken to have been given and made by or on behalf of His Majesty, His Heirs and Successors; any Custom, or Law, Usage to the contrary in anywise notwithstanding.

Commissioners empowered to give Notices, make Claims, and authorize Entries, &c.

XLVIII. And Whereas Cases may occur in which it may be expedient to empower the Commissioners of His Majesty's

Power to Commissioners to compound for Rent, &c.

† Sic.

Application of Monies to arise from the Sale or Exchange of the Possessions and Land Revenues of the Crown in Ireland.

7 G. 4. c. 77.

‘ Woods, Forests, and Land Revenues, with the Consent and Approbation of the said Lord High Treasurer, or the Commissioners for the Time being of His Majesty’s Treasury, to compound for Arrears of Rents due to the Crown;’ Be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty’s Woods, Forests, and Land Revenues, with the Consent and Approbation of the said Lord High Treasurer, or the Commissioners for the Time being of His Majesty’s Treasury, or any Three of them, in any Case where it shall seem to the said Lord High Treasurer, or the said Commissioners of His Majesty’s Treasury, or any Three of them, expedient so to do, to make any Composition or Agreement with any Person or Persons for any Arrears of any Rent or Rents which may be due or owing to His Majesty, His Heirs or Successors in *Ireland*; and from and after the Payment of any Sum or Sums of Money so agreed upon, His Majesty, His Heirs and Successors, shall be barred for † suing for or in any Manner recovering any such Arrears of Rent so compounded for as aforesaid; any thing in any Act or Acts in force in *Ireland* to the contrary notwithstanding.

XLIX. And be it further enacted, That all Sums of Money to arise from the Sale or Exchange of any Parts of the Possessions or Land Revenues of the Crown in *Ireland*, under the Powers and Provisions of this Act, shall be applied in Payment of the Purchase Monies for any Lease or Leases of any Parts of the said Possessions or Land Revenues of the Crown in *Ireland* which may be bought in under the Authority of this Act, and in Payment of the Monies to be paid for Equality of Exchange on any Exchange to be made under the Authority of this Act, and of the Expences of the said Commissioners of His Majesty’s Woods, Forests, and Land Revenues in or relating to such Purchases and Exchanges; and the said Commissioners, or any Two of them, are hereby authorized to draw on the Bank of *England* or Bank of *Ireland* for the Amount of such Purchase and other Monies accordingly; and, subject to such Application as aforesaid, so much of the Monies to arise from such Sales and Exchanges aforesaid, as the Lord High Treasurer, or the Commissioners of His Majesty’s Treasury for the Time being shall from time to time direct, shall be applied to all or any of the Purposes to which, under the Provisions of an Act passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act to extend to Charing Cross, the Strand, and Places adjacent, the Powers of an Act for making a more convenient Communication from Marylebone Park; and to enable the Commissioners of His Majesty’s Woods, Forests, and Land Revenues to grant Leases of the Scite of Carlton Palace*, the Monies to arise from Fines on the granting of Leases by that Act authorized to be granted may be applied; and, subject to the several Applications aforesaid, the Monies to arise from such Sales and Exchanges as aforesaid shall from time to time be applied to the same Purposes as and shall be consolidated with and be subject to the same Powers and Provisions in all respects as Monies arising from Sales and Exchanges of the Possessions and Land Revenues of the Crown in *England*.

‘ L. And Whereas it may be found expedient to borrow a Sum or Sums of Money, by way of Mortgage or Loan, on the Credit

‘ Credit of the said Possessions and Land Revenues of the Crown
 ‘ in *Ireland*, for the Purposes to which the Monies to arise from
 ‘ Sales and Exchanges of the said Possessions and Land Reve-
 ‘ nues are hereinbefore authorized to be applied;’ Be it there-
 fore enacted, That it shall be lawful for the said Commissioners
 for the Time being of His Majesty’s Woods, Forests, and Land
 Revenues, or any Two of them, from time to time, or at any Time,
 with the Approbation of the Lord High Treasurer, or Commis-
 sioners for the Time being of His Majesty’s Treasury, or any Three
 or more of them, to borrow and take up at Interest such Sum or
 Sums of Money as the said Lord High Treasurer, or Commis-
 sioners for the Time being of His Majesty’s Treasury, or any
 Three or more of them, shall think it necessary or convenient
 to have raised, for the Purposes to which the Monies to arise
 from Sales and Exchanges of the said Possessions and Land
 Revenues are hereinbefore authorized to be applied; and the
 Sum or Sums so borrowed shall be applied to such Purposes ac-
 cordingly.

Commissioners
 may borrow
 such Sum as
 the Treasury
 shall think
 necessary, on
 Mortgage of
 the Possessions
 of the Crown in
 Ireland.

LI. And be it further enacted, That it shall be lawful for any
 Person or Persons, Bodies Politic or Corporate, or Companies
 (other than and except the Governor and Company of the Bank
 of *England*, the Governor and Company of Merchants of *Great*
Britain trading to the *South Seas* and other Parts of *America*,
 and the United Company of Merchants of *England* trading to the
East Indies), to advance or lend any Sum or Sums of Money, or
 any Part or Parts of the Capital or other Monies or Funds of or
 belonging to such Person or Persons, Bodies Politic or Corporate,
 or Companies, to the said Commissioners of His Majesty’s Woods,
 Forests, and Land Revenues, upon the Credit of the said Pos-
 sessions and Land Revenues of the Crown in *Ireland*, or any
 Part thereof, whether such Person or Persons, Bodies Politic or
 Corporate, or Companies, shall be authorized to advance Monies
 upon *Irish Securities* or not: Provided nevertheless, that all such
 Loans shall be made with the Approbation of the said Lord High
 Treasurer, or the Commissioners for the Time being of His Ma-
 jesty’s Treasury, or any Three or more of them, who is or are
 hereby authorized to issue his or their Warrants for that Purpose;
 and every such Loan shall be deemed to be and the same is here-
 by declared to be a Loan upon a Parliamentary Security; and
 the said Possessions or Land Revenues of the Crown shall be
 deemed and taken to be and are hereby declared to be a Part
 and Branch of the Revenues of His Majesty, upon which a Credit
 of Loan, to the Extent of the Sums which may be by the said
 Lord High Treasurer or Commissioners thought necessary to be
 raised as aforesaid, is granted by Parliament, and upon which any
 Part of the Capital or other Monies or Funds of any such Person
 or Persons, Bodies Politic or Corporate, or Companies, may be
 advanced within the true Intent and Meaning of any Charter,
 Deed, Will, Bye Law, Statute, or Ordinance whereby any Monies
 are authorized or permitted to be advanced upon Parliamen-
 tary Security, or on any Part or Parts, Branch or Branches of the
 Revenue of His Majesty upon which a Credit of Loan is granted
 by Parliament; and every such Loan shall be good, valid, and
 effectual; any Provision contained in the Statutes of Mortmain,

All Persons
 and Corpo-
 rations (except
 as herein ex-
 cepted) may
 lend Money on
 Security
 thereof, though
 not authorized
 to lend on
 Irish Secu-
 rities.

Approbation of
 the Treasury
 necessary.

Such Loans
 deemed to be
 Loans on Par-
 liamentary
 Security.

or in any other Statute, Charter, Bye Law, or Ordinance, to the contrary in anywise notwithstanding.

Certificate of Commissioners and Receipt of Cashier of the Bank conclusive Evidence of the Advance of Loan.

LII. And be it further enacted, That all and every Person and Persons, Bodies Politic or Corporate, or Companies, who shall agree to lend any Money upon the Credit of the said Possessions and Land Revenues of the Crown in *Ireland*, shall receive a Certificate under the Hands and Seals of Two or more of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; which Certificate may be in the Form or to the Effect set forth for that Purpose in the Schedule to this Act annexed, or as near thereto as Circumstances will admit; and every such Certificate shall be witnessed by One of the Secretaries or Clerks to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; and the Cashiers of the Bank, or One of them, shall, upon the Production of such Certificate or Certificates, accept and receive the Sum or Sums therein specified, and at the Foot or Back of such Certificate acknowledge the Receipt of the said Monies, without Fee or Reward; and the Receipt to be given by the Cashier of the Bank, at the Foot or on the Back of such Certificate as aforesaid, shall be in the Form set forth for that Purpose in the Schedule to this Act annexed, or as near thereto as may be; and a Minute or Extract of such Certificate and Receipt shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; and every such Certificate and Receipt when so given and granted shall be and they are hereby declared to be conclusive Evidence of the Advance of every such Loan, and of the Day or Time of the making such Advance; and no Person, or Body Politic or Corporate, or Company, advancing any such Money as aforesaid, shall be bound to see to the Application of the Money so advanced by him or them, or to enquire whether the said Commissioners of His Majesty's Woods, Forests, and Land Revenues were or not duly authorized to borrow the same.

Such Loans shall be a Charge on the Whole of the Possessions and Land Revenues of the Crown in *Ireland*.

LIII. And be it further enacted, That when any such Certificate and Receipt shall be so signed and entered as aforesaid, the Loan or Loans, the Receipt whereof shall be thereby acknowledged, shall be and the same is and are hereby charged upon the whole of the said Possessions and Land Revenues of the Crown in *Ireland*, and such Possessions and Land Revenues shall from thenceforth be subject and liable to the Payment of the same Loan and the Interest thereof in the Manner mentioned in such Certificate; and such Interest shall be from thenceforth paid and satisfied out of the Income of such Part as aforesaid of the said Possessions and Land Revenues, at the Time or Times and in the Manner mentioned and appointed for the Payment thereof in and by every such Certificate; and the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues are hereby authorized, empowered, and required to pay such Interest from time to time, when and as the same shall become due and payable, out of the said Possessions and Land Revenues of the Crown, prior to any other Application thereof.

Certificate not to be subject to any Stamp Duty.

LIV. And be it further enacted, That no Loan which shall be advanced, nor any Certificate which shall be made thereof, by virtue of this Act, shall be subject or liable to any *ad valorem* or other

other Stamp Duty whatsoever imposed by any Act or Acts now in force, nor to any Stamp Duty to be imposed by any future Act or Acts, unless such Loan or Certificate be specially subjected thereto by such future Act or Acts.

LV. And be it further enacted, That it shall be lawful for the Person or Persons, Bodies Politic or Corporate, or Companies, entitled to the Monies advanced or remaining due, from time to time, upon any such Certificate, in respect of any such Loan as aforesaid, and their respective Executors, Administrators, Successors, or Assigns, at any Time by Writing under his or their Hands and Seals, or under the Seal of such Body Politic or Corporate, or Company, to transfer such Certificate, and the Money remaining due thereon, to any Person or Persons whomsoever; and every such Transfer may be in the Form or to the Effect set forth for that Purpose in the Schedule to this Act annexed, or as near thereto as Circumstances will admit; and a Minute or Docket of every such Transfer or Assignment shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, and an Extract or Memorial thereof shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners for executing this Act, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall, at all seasonable Times, have Access, and shall have free Liberty to inspect the same, without Fee or Reward; and for the entering of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of One Guinea and no more; and every such Transfer, after such Entry shall be made thereof as aforesaid, shall entitle the Person or Persons, Bodies Politic or Corporate, and Companies, to whom the same shall be made, and his or her Executors, Administrators, Successors, or Assigns, to the Benefit of the Security thereby transferred, and to receive the Money due thereon when the same shall be paid off, and the Interest thereof in the meantime.

Persons entitled to Money due on any such Certificate may transfer the same.

Minute of Transfer to be entered.

LVI. And be it further enacted, That all Sums of Money to be so borrowed as aforesaid under the Powers of this Act shall be paid off out of the Monies to arise from the Sale or Exchange of any Parts of the Possessions and Land Revenues of the Crown in *Ireland*, or out of the annual Income of such Possessions and Land Revenues, in such Manner and at such Time or Times as the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three of them, shall think proper; provided nevertheless, that no principal Money to be so borrowed shall be paid off, unless Six Calendar Months previous Notice of the Intention to pay off the same (such Notice to be by some Writing under the Hands of any Two of the Commissioners of His Majesty's Woods, Forests, and Land Revenues) shall have been given to the Party or Parties entitled to such Money, except in any Case in which the Party or Parties entitled to such Money shall consent to receive the same without such previous Notice.

Money borrowed to be repaid out of the Monies to arise from the Sale or Exchange of any of the Possessions or Land Revenues of the Crown.

LVII. Provided always, and be it further enacted, That in case the said Commissioners of His Majesty's Woods, Forests, and Land Revenues shall be able at any Time to borrow or take up any

Commissioners may borrow Money at a lower Rate of any

Interest to pay off Sums previously borrowed at a higher Rate.

Such Parts of the Possessions or Land Revenues as shall be sold, freed from all Claims in respect of such Loans.

Money arising from such Sales to be invested in the Funds, for securing the Repayment of the Sums borrowed, &c.

any Sum or Sums of Money at a Rate of Interest lower than the Rate which the Sums already borrowed shall bear, it shall and may be lawful to and for the said Commissioners, by and with such Consent and Approbation as aforesaid, from time to time to borrow, on the Credit of the said Possessions and Land Revenues of the Crown in *Ireland*, in manner aforesaid, such Sum or Sums of Money as they shall think proper, at such lower Rate of Interest as aforesaid, and with the Sum or Sums so borrowed to pay off and discharge the Sums previously borrowed, and bearing a higher Rate of Interest as aforesaid, but subject to the Provision hereinbefore contained with respect to the giving of Six Calendar Months previous Notice before paying off any Sum so borrowed.

LVIII. Provided also, and be it further enacted, That when and so often as any Part of the said Possessions and Land Revenues of the Crown in *Ireland* shall be sold or conveyed in exchange under the Powers and Provisions hereinbefore contained, the Person or Persons, Body or Bodies Politic or Corporate, and Company or Companies, who shall have advanced any Sum or Sums of Money on the Credit of the said Possessions and Land Revenues under the Provisions hereinbefore contained, or who shall be entitled to any Sum or Sums of Money so advanced, shall cease to have any Claim or Demand whatsoever upon the Rents, Lands, or other Hereditaments so sold or conveyed in exchange; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding; and the Person or Persons, Body or Bodies Politic or Corporate, to whom such Part of the said Possessions and Land Revenues shall be so sold or conveyed, and all Parties claiming under such Sale or Conveyance, shall hold, possess, and enjoy the same Rents, Lands, or other Hereditaments, absolutely freed and discharged from all Claims and Demands whatsoever, for or in respect of any Monies which may have been advanced, in manner hereinbefore mentioned, upon the Credit of the Possessions and Land Revenues of the Crown in *Ireland*.

LIX. And, in order to make Provision in the Case of Sales and Exchanges under this Act for not diminishing, by reason of such Sales and Exchanges, the Security of the Person or Persons, Bodies Politic or Corporate, and Companies, who may advance any Sums of Money as hereinbefore is mentioned upon the Credit of the said Possessions and Land Revenues of the Crown in *Ireland*, be it further enacted, That when and so often as any Sale or Exchange shall be made under the Provisions of this Act of any Part of the said Possessions and Land Revenues of the Crown in *Ireland*, during such Time as any Monies borrowed on the Credit of the said Possessions and Land Revenues as aforesaid shall remain due and unpaid, the Monies arising from every such Sale and Exchange shall be invested in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities in the Names of any Two or more Trustees, to be appointed for that Purpose by the Lord High Treasurer, or the Commissioners for the Time being of His Majesty's Treasury, or any Three of them; and the Trustees in whose Names any Three Pounds *per Centum* Consolidated Bank Annuities shall be so purchased shall stand possessed of the same in Trust, in the first place, for securing the Repayment

Repayment of the Sums so borrowed on the Credit of the said Possessions and Land Revenues of the Crown in *Ireland*, and then remaining due and unpaid, and the Interest thereof, and subject thereto upon Trust for the other Purposes to which the Monies arising from the Sale and Exchange of the said Possessions and Land Revenues are by this Act directed to be applied; and when and so often as any Sum shall be required for the Purpose of paying off any Sum so borrowed as aforesaid, the said Trustees for the Time being shall, upon being directed so to do by any Warrant under the Hand or Hands of the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, or any Three or more of them, sell out so much of the said Three Pounds *per Centum* Consolidated Bank Annuities as shall be necessary for raising the Sum so required; and when all Sums borrowed as aforesaid on the Credit of the said Possessions and Land Revenues, and the Interest thereof, shall have been fully paid and satisfied, the said Trustees for the Time being shall sell out or transfer the Residue, if any, of the said Three Pounds *per Centum* Consolidated Bank Annuities, at such Time or Times and in such Manner as the said Lord High Treasurer, or the said Commissioners for the Time being of His Majesty's Treasury, or any Three or more of them, shall by any Warrant under his or their Hand or Hands direct; and on every Sale of any of the said Three Pounds *per Centum* Consolidated Bank Annuities, the said Trustees shall pay over the Money arising from such Sale to such Person or Persons, Body Politic or Corporate, or Company, and in such Manner as shall be directed in that Behalf by the Warrant in pursuance of which the Sale shall have been made; and every such Warrant shall be a sufficient Indemnity to the said Trustees for every Sale and Payment made in pursuance thereof; and in the meantime, and until the said Three Pounds *per Centum* Consolidated Bank Annuities shall be sold, the Dividends thereof shall be paid by the said Trustees into the Bank of *England*, and placed to the same Account as, and applied and disposed of in the same Manner as, and be considered to all Intents and Purposes as, Part of the annual Income of the said Possessions and Land Revenues of the Crown in *Ireland*; and it shall be lawful for the said Lord High Treasurer, or the said Commissioners for the Time being of His Majesty's Treasury, or any Three or more of them, when and so often as he or they shall think it necessary so to do, by any Warrant under his or their Hand or Hands, to remove any Trustee or Trustees of the said Three Pounds *per Centum* Consolidated Bank Annuities, and on any such Removal, or on any other Occasion when it shall be thought necessary, to appoint any new Trustee or Trustees thereof; and upon every such Removal and Appointment respectively, the said Annuities shall with all convenient Speed be transferred into the Name or Names of the remaining Trustee or Trustees, either alone or jointly with any new Trustee or Trustees who may have been appointed as aforesaid, as the Case may require.

LX. And be it further enacted, That on every Exchange under the Provisions of this Act, the Lands or Hereditaments received in exchange by or on behalf of His Majesty shall, immediately upon such Exchange being completed, become subject and liable

Lands exchanged to become liable to Sums borrowed.

to

to the Payment of all Sums borrowed under the Provisions hereinbefore contained, on the Credit of the said Possessions and Land Revenues of the Crown in *Ireland*, and the Interest thereof, in the same Manner, to all Intents and Purposes, as they would have been if they had formed Part of the said Possessions and Land Revenues at the Time when such Sums were respectively borrowed.

Application of
the annual
Income of the
Possessions
and Land Re-
venues of the
Crown in Ire-
land.

LXI. And be it further enacted, That from and after the Commencement of this Act, the annual Income of the Possessions and Land Revenues of the Crown in *Ireland* shall be carried to the same Account and applied to the same Purposes as, and shall be consolidated with and subject to the same Powers and Provisions in all respects, as the annual Income of the Possessions and Land Revenues of the Crown in *England*; and any Sum of Money to be received by way of Fine on the granting of any Lease, under the Power hereinbefore given, shall be considered as Part of the annual Income for the Year in which the same shall be received.

Sums received
by Commis-
sioners, &c. to
be paid into
the Bank of
England or
Bank of
Ireland.

LXII. And be it further enacted, That the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, shall cause all Sums of Money, Bills, and Drafts received by them, their Agents, Receivers, or Collectors, either on account of the annual Income of the Possessions and Land Revenues of the Crown in *Ireland*, or on the Sale of any Parts of the said Possessions and Land Revenues, where the Purchase Money shall not exceed One hundred Pounds, or on the Exchange of any Part of the said Possessions and Land Revenues, to be paid as soon as conveniently may be into the Bank of *England* or Bank of *Ireland*; and all such Sums of Money, Bills, and Drafts as shall be so received by the said Commissioners at their Public Office in *London*, shall be paid by them into the Bank of *England* within Two Days after the same shall have been so received, or within Two Days after any such Bill or Draft shall have been accepted, completed, and perfected, if the same shall not have been accepted, completed, and perfected at the Time it shall have been received; and the Receipt of the Cashier or Cashiers of the said Bank of *England* or Bank of *Ireland*, shall be a sufficient Discharge for the said Sums of Money, Bills, and Drafts; and all Monies Bills, and Drafts which shall be received by the Bank of *England* and Bank of *Ireland*, in pursuance of the Provisions of this Act, shall be placed to such Account, to be opened by the said Bank of *England* and Bank of *Ireland* respectively, as shall from time to time be directed by the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them; and the Drafts or Orders of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, shall be sufficient Authority to the said Bank of *England* and Bank of *Ireland* to pay, apply, and dispose of the said Monies, Bills, and Drafts to the Person or Persons, or in the Manner in such Drafts or Orders respectively mentioned or specified.

Receivers to
account to
Commissioners

LXIII. And be it further enacted, That the Receivers to be appointed under and by virtue of this Act, shall, from time to time and at such Times as they shall be required so to do by the Commis-

Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, render Accounts to the said Commissioners of all Monies received by them, and of all other Acts, Matters, and Things done by them on account of or in relation to the said Possessions and Land Revenues of the Crown in *Ireland*; and the said Accounts shall be audited by the said Commissioners; and the Approbation of the said Accounts by the said Commissioners, or any Two of them, and the Receipts of the said Commissioners, or any Two of them, for the Balances of such Accounts, shall be good and effectual Discharges to the said Receivers respectively.

of Woods and Forests.

LXIV. And be it further enacted, That the Accounts of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being, relating to the Possessions and Land Revenues of the Crown in *Ireland*, shall from time to time be audited in the same Manner and under the same Provisions, in all respects, as their Accounts relating to the Possessions and Land Revenues of the Crown in *England*; and the public Officer or Officers or Person or Persons who now is or are or hereafter shall be for the Time being authorized to give and execute Discharges to the said Commissioners on having passed their Accounts in respect of the Possessions and Land Revenues of the Crown in *England*, shall be and he or they is and are hereby authorized and required to give and execute Discharges to the said Commissioners on passing their Accounts relating to the Possessions and Land Revenues of the Crown in *Ireland*, in the same Manner as on passing their Accounts relating to the Possessions and Land Revenues of the Crown in *England*; and such Discharges shall exonerate the said Commissioners from all further Liability in respect of the Monies received by them respectively under the Powers and Provisions of this Act.

Accounts of Commissioners to be audited, and Discharges given in like Manner as in *England*.

LXV. And be it further enacted, That the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being shall, in the Reports which, by the Acts in force relating to the Possessions and Land Revenues of the Crown in *England*, they are required to lay before the King's most Excellent Majesty and both Houses of Parliament, include a Report of all their Receipts and Payments, and of all their Acts and Proceedings under and by virtue of this Act, in the same Manner as they are now required to make such Reports in relation to the Possessions and Land Revenues of the Crown in *England*.

Reports of Commissioners laid before Parliament to include Proceedings under this Act.

LXVI. Provided always, and it is hereby declared, That the Provisions hereinbefore contained shall not extend to any Estates or Possessions which may be seized into the Hands of the Crown on Writs of Outlawry, or other Process between Subject and Subject, nor to any Rents usually called Custodiam Rents, reserved on Leases granted under the Exchequer Seal of such Estates or Possessions, nor to the Præ-Fines or Post-Fines, or other Fines or Monies payable on Writs of Entry and Writs of Covenant, or on levying Fines or suffering Common Recoveries, nor to the Light-house Duties payable in *Ireland*.

Act not to extend to Lands seized into the Hands of the Crown on Outlawries, Fines, &c.

LXVII. And Whereas it may be hereafter thought advisable to make some Alteration with respect to the said Custodiam Rents, Præ and Post Fines, and other Fines, and it is desirable that

that

No Grant or Lease to be made of any Fines on Writs or other Fines.

Reservation of Rights of the Crown.

Power to His Majesty to grant any Lands or Hereditaments for any public or charitable Purposes.

‘ that in the meantime no Gift, Grant, or Alienation thereof should be made, by which such Alteration might be impeded or prevented;’ Be it therefore further enacted, That no Gift, Grant, Alienation, Lease, or other Assurance whatsoever, shall at any Time or Times hereafter be made by the King’s Majesty, His Heirs or Successors, of any of the said Custodiam Rents, or of the said Præ and Post Fines, or other Fines or Monies, or of any of them, but that all such Gifts, Grants, Alienations, Leases, or other Assurances, shall be *ipso facto* void, without any *Scire Facias*, Inquisition, or other Proceeding to determine or make void the same.

‘ LXVIII. And Whereas the King’s Majesty possesses, and He and His Predecessors have heretofore exercised, the Power of restoring and otherwise disposing of Estates which he or they have become entitled to in Right of the Crown, either by Escheat for Want of Heirs, or by reason of any Forfeiture, or by reason that the same has or may have been purchased by or for the Use of or in Trust for any Alien or Aliens; and it is not intended that such Right on the Part of His Majesty, His Heirs or Successors, should be controlled, or in any Manner interfered with, by the Powers and Provisions of this Act;’ Be it further enacted, That the Powers and Provisions of this Act shall not extend to any Manors, Messuages, Lands, Tithes, or other Hereditaments which His Majesty, His Heirs or Successors, hath within the Period of Two Years last past, or hereafter shall in Right of His Crown become entitled to, either by Escheat for Want of Heirs, or by reason of any Forfeiture, or by reason that the same have been or shall be purchased by or for the Use of or in Trust for any Alien or Aliens, except such of the said Manors, Messuages, Lands, Tithes, and Hereditaments as His Majesty, His Heirs or Successors, shall, by Warrant under His or Their Sign Manual, signify His or Their Intention to subject to the Powers and Provisions of this Act, or any of them, and then so far only as the same shall by such Warrant be subjected to the Powers and Provisions of this Act.

‘ LXIX. And Whereas it is desirable that His Majesty, His Heirs and Successors, should be at liberty to grant any Lands or Hereditaments, Part of the Possessions or Land Revenues of the Crown in *Ireland*, for any charitable or public Purpose, whenever He or They shall be graciously pleased so to do;’ Be it therefore enacted, That the King’s most Excellent Majesty, His Heirs and Successors, shall at all Times hereafter have full Power and Authority to give and grant to and vest in any Body or Bodies Politic or Corporate, or any Person or Persons whomsoever, for any public or charitable Purpose, any Manors, Messuages, Lands, Tenements, or Hereditaments which now are or hereafter shall be Part of the Possessions or Land Revenues of the Crown in *Ireland*, for such Estate or Interest therein as to His Majesty, His Heirs or Successors, shall seem meet; any thing in this Act or any other Law or Statute to the contrary in anywise notwithstanding; and such Body or Bodies Politic or Corporate, or Person or Persons, and their Heirs, Successors, Executors, or Administrators, shall have full Capacity and Ability to receive, take, hold, and enjoy the same; and whenever it shall be the Pleasure of His Majesty,

Majesty, His Heirs or Successors, to make a Grant for any such public or charitable Purpose as aforesaid, it shall and may be lawful for the said Lord High Treasurer, or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to issue a Warrant under his or their Hand or Hands to any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, which Warrant shall be exempt from any Stamp Duty whatever, and shall be enrolled in the Office of Record in *Ireland* in which the Rentals or Rent Rolls of the King's Rents shall be preserved, and also in the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and the Enrolment of the said Warrant shall be certified at the Foot or on the Back thereof, by the proper Officer or Officers, under his or their Hand or Hands; and the said Warrant when enrolled shall be returned with such Certificate of Enrolment to the Grantee or Grantees of such Lands and Premises; and from and immediately after such Enrolment thereof, the Grantee or Grantees named in such Warrant, and his or their Heirs, Successors, Executors, or Administrators, shall, by force of this Act, be adjudged deemed; and taken to be in the actual Seisin and Possession of the Premises in the said Warrant specified and shall hold and enjoy the same, either absolutely and in perpetuity, or for such limited Estate, Term, or Interest, and under and subject to such Reservations of Rent or other Acknowledgments, Conditions, or Restrictions; and upon such Trusts and for such Purposes as shall be specified, inserted, directed, or contained in such Warrant; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to enable His Majesty, His Heirs and Successors, to grant more than Five Acres in One Grant for any of the Purposes aforesaid.

SCHEDULE to which this Act refers.

Form of a Conveyance on any Sale.

By the Commissioners of His Majesty's Woods, Forests, and Land Revenues.

THESE are to witness, [That in pursuance of a Warrant from the Right Honourable the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, bearing Date the] in consideration of (*on an Exchange say*, in consideration of the Lands, &c. received in exchange) [*describing them*], as well as of the Sum of Money, if any, received for Equality of Exchange, the Sum of

by E. F. of, &c., paid to the Commissioners of His Majesty's Woods, Forests, and Land Revenues, We A. B. and C. D., Two of the said Commissioners for and on behalf of His Majesty, under the Powers and Authorities of an Act passed in the Year of the Reign of His Majesty King George the Fourth, intituled *An Act for the Management and Improvement of the Land Revenues of the Crown in Ireland, and for other Purposes relating thereto*, do by these Presents grant, bargain, and sell unto the said [*if the Conveyance is to Trustees or a Trustee for the*

the Purchaser, say, do by these Presents, by the Direction and on the Nomination of the said E. F., grant, bargain, and sell unto G. H. and his Heirs,] E. F. and his Heirs, [here describe the Premises to be sold, and any subsisting Grants, Leases, or Contracts affecting the same, and in the Case of a Quit Rent or other Rent, also describe the Premises which the same is charged upon or issuing out of], to have and to hold the said [shortly specifying the Premises], hereby granted, bargained, and sold, and all Benefits and Advantages thereto belonging, unto the said E. F. his Heirs and Assigns for ever, [or unto the said G. H., his Heirs and Assigns, as the Case may be, and add any Uses or Trusts to which the Premises are intended to be subjected, either by setting out the same or by Reference to any other Deed or Instrument, and if the Purchase is of a Rent which is meant to be extinguished, add, to the Intent that the said Rent [describing it] shall cease and be extinguished, and the said [describing shortly the Premises on which the said Rent is charged] may be absolutely freed and for ever discharged from the same, [or, if the Purchase is of a Rent which is not meant to be extinguished, add and it is hereby declared, that the said Rent shall not become extinguished by the Grant thereof hereby made, but shall subsist and continue for the Benefit of the Parties entitled thereto under this Grant.] In witness whereof the said A. B. and C. D. have set their Hands and Seals this
 Day of _____ in the Year of our Lord _____

A. B.
C. D.

Witness to the Execution by the said }
 A. B. and C. D. }

Form of Receipt.

RECEIVED the _____ Day of _____ of and from
 E. F. the Sum of _____ of lawful Money of
 Great Britain, being the Consideration Money expressed in the
 above [or within] written Conveyance.
 Witness our Hands, A. B. and C. D.
 Commissioners, &c.

*Conveyance by the Persons with whom the Exchange is proposed
 to be made.*

THESE are to witness, That E. F. of _____ in the County of _____ in consideration of the
 Conveyance to him the said E. F. from the Commissioners of His
 Majesty's Woods, Forests, and Land Revenues, for and on behalf
 of His Majesty, of a certain Parcel of Land [describing it] and
 also of the Sum of _____ paid to him by the said
 Commissioners of His Majesty's Woods, Forests, and Land Reve-
 nues, on behalf of his said Majesty, for Equality of Exchange [if
 the Case be so] doth, by these Presents, grant, bargain, and sell
 unto His Majesty, His Heirs and Successors, all that Parcel of
 Land [describing it] to have and to hold the same to His said
 Majesty, His Heirs and Successors, in Right of His Crown. In
 witness whereof the said E. F. hath hereunto set his Hand and
 Seal

Seal this
Lord

Day of

in the Year of our

E. F.

Witness to the Execution }
by the said E. F. }*Form of Appointment of Receiver.*By the Commissioners of His Majesty's Woods, Forests, and Land
Revenues.

TO all to whom these Presents shall come, We, *A. B. and C. D.*,
Two of the Commissioners of His Majesty's Woods, Forests,
and Land Revenues, send greeting: Know ye, That we the said
A. B. and C. D. reposing special Trust and Confidence in the
Care, Skill, and Probity of *E. F.* of _____ in the County
of _____ (by virtue and in exercise of the Powers
and Authorities vested in us by an Act passed in the

Year of the Reign of His Majesty King George the Fourth
intituled [*here insert the Title of this Act*], by and with the Con-
sent and Approbation of the Commissioners of His Majesty's
Treasury), have nominated, constituted, and appointed, and by
this our Warrant do nominate, constitute, and appoint the said
E. F. to be Receiver of the Rents, Issues, Revenues, and Profits
of all and singular His Majesty's Honours, Castles, Lordships,
Manors, Lands, Tenements, Rents, Services, and other Heredita-
ments and Possessions whatsoever in the [*here insert the Counties,*
Districts, Divisions or Places to which the Appointment is meant to
extend], together with all Arrears thereof; to have and to hold
the said Office and Offices unto the said *E. F.* until the Commis-
sioners of His Majesty's Treasury, or any Three of them, or the
Commissioners of His Majesty's Woods, Forests, and Land Re-
venues for the Time being, or any Two of them, by any Instru-
ment or Document in Writing, shall determine the Appointment
hereby made, he the said *E. F.* having, taking, and retaining out
of the Rents, Issues, Revenues, and Profits aforesaid, during his
Continuance in the said Office, and for the Performance and ex-
ecuting of the Duties thereof [*here insert such Allowance or Com-
pensation as shall be agreed to be allowed*]: Provided always, that
if the said *E. F.* shall not diligently and faithfully levy, collect,
and receive the Rents, Issues, Revenues, and Profits aforesaid,
and pay and apply the same in the Manner to be directed by
the said Commissioners of His Majesty's Woods, Forests, and
Land Revenues, or any Two of them, or shall not duly and faith-
fully account for all such his Receipts within the Times to be
appointed for the rendering such Accounts, or if he shall not duly
and faithfully execute and perform all other the Duties of the
said Office of Receiver [*and if local Residence be required, then*
say], or if he shall cease or discontinue to dwell and reside within
the said [*insert the Counties or Districts*], or some or one of them,
then and in either of such Cases these Presents and the Appoint-
ment hereby made shall be void and of no effect. In witness
whereof we the said *A. B. and C. D.* have to this our Warrant

set our Hands and Seals, the Day of
in the Year of the Reign of our
Sovereign Lord and in the Year of our Lord .

A. B.
C. D.

Signed, sealed, and delivered by the above-named }
A. B. and C. D. in the Presence of }

Form of a Bond to be given by Receivers.

K NOW all Men by these Presents, that We *A. B.* of
C. D. of

E. F. of _____ are held and firmly bound
to our Sovereign Lord [*insert the King's Name*], by the Grace of
God of the United Kingdom of Great Britain and Ireland, King,
Defender of the Faith, in the Sum of [*insert the Penalty*] Pounds
of lawful Money of the said United Kingdom current in Great
Britain, to be paid to our said Lord the King, His Heirs and Suc-
cessors; for which Payment, well and truly to be made, we bind
ourselves and every of us jointly and severally for and in the
whole, our Heirs, Executors, and Administrators, and every of
them, firmly by these Presents, sealed with our Seals; dated the
Day of _____ in the Year of our Lord

Whereas the above-bounded *A. B.* is about to be appointed Receiver of the Rents, Issues, Revenues, and Profits of His Majesty's Lands, Tenements, Rents, Services, and other Hereditaments and Possessions situate in the [*here insert the Counties, Districts, Divisions, or Places intended to be comprised in the Appointment*], together with all Arrears thereof: Now the Condition of the above-written Obligation is such, that if the said *A. B.* shall and do from time to time and at all Times after such Appointment shall be made, so long as he shall continue in the said Office, well and truly collect, get in, and receive or use his best Endeavours well and truly to collect, get in, and receive, all and singular the Rents, Issues, Revenues, and Profits which shall arise or grow due to His Majesty, or which shall have arisen or grown due and remain in arrear to His Majesty, His Heirs or Successors, from or out of, or for or in respect of His Majesty's Honours, Castles, Manors, Lands, Tenements, Rents, Services, and other Hereditaments and Possessions of which he the said *A. B.* is intended to be so appointed Receiver as aforesaid; and also if he the said *A. B.* shall and do from time to time, for and during so long Time as he shall continue in the said Office, well and faithfully make up, or cause to be made up, annually, a true and perfect Account in Writing of all Sums of Money whatsoever which shall have arisen or become due and payable unto His Majesty, His Heirs or Successors, and which he the said *A. B.* by virtue of his said Office, or any Person or Persons by any Authority from him, or by or with his Privy, Consent, or Direction, shall at any Time have levied, collected, or received in respect of any of the Estates or Possessions of His Majesty, His Heirs or Successors, of which he the said *A. B.* shall be so appointed Receiver as aforesaid, and do and shall transmit the same Account to the Commissioners for the Time being of His Majesty's Woods, Forests,

Forests, and Land Revenues, or as the said Commissioners shall by any Order in Writing from time to time require, and do and shall pass and verify every such Account in the Manner required by the said Commissioners; and if he the said *A. B.*

do and shall well and truly answer and pay all such Balances as shall be or become due to His Majesty upon the periodically making up of every such Account as aforesaid, and all such Sum or Sums of Money as shall be from time to time required to be paid on account thereof prior to the ascertaining such Balances, by any Order in Writing from the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, to such Person or Persons, at such Time or Times, and Office or Place, and in such Manner as he the said *A. B.*

shall be directed or required by any such Order to pay the same, and in default of such Direction or Requisition, to such Persons, and in such Manner, and at such Time or Times as the said Commissioners shall from time to time require; and also if the said *A. B.* shall and do, during so long a Time as he shall continue in the said Office, well and truly execute all such Duties, and observe, obey, perform, and execute all such Orders, Rules, and Instructions as he hath received or shall from time to time receive from the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Two of them, touching or concerning the Premises, or the Execution of the Office or Employment aforesaid; and if he the said *A. B.* shall and do in all other respects faithfully and truly execute and perform the Duties of the said Office, and all the Trusts which shall be imposed in him as such Officer as aforesaid; then the above-written Obligation shall be void, otherwise the same shall be and remain in full Force and entire.

Signed, sealed, and delivered by the above-
named in the Presence of .}

Form of Certificate of Mortgage.

[IN pursuance of a Warrant from the Lord High Treasurer [or from Commissioners of His Majesty's Treasury (as the Case shall be)], bearing Date the Day of

We *A.* and *B.* Two of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, in exercise of the Powers vested in us by an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intitled [*here insert the Title of this Act*], do hereby certify that *C. D.* [*insert the Name, Title, or Description of the Person or Persons, Bodies Politic or Corporate, or Company, by whom or on whose Behalf the Loan is to be advanced*], hath [or have] contracted and agreed to advance and lend to the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, upon the Credit of the Possessions and Land Revenues of the Crown in Ireland, the Sum of

to be applied by them for and towards the Purposes for which the same is by the said Act authorized to be borrowed, which Sum is to be paid by the said *C. D.* to one of the Cashiers of the Bank of England, and carried to the Account of the Commissioners of His Majesty's Woods,

Forests, and Land Revenues, being [*here describe the Account to which the same is to be carried*]; and from and immediately after the Payment of the same in Manner aforesaid, the said Sum of shall by virtue of the said Act become and be a Loan charged upon the whole of the said Possessions and Land Revenues of the Crown in Ireland, and such Possessions and Revenues shall from thenceforth be subject and liable to the Repayment of the said Capital Sum so to be advanced, and to the Payment of Interest for the same, or for so much of the said Principal Sum as shall from time to time remain unpaid, after the Rate of [*here insert the Rate of Interest agreed to be given*], per Centum per Annum, to be computed from the Time the same shall be so advanced, and to be paid, without any Deduction, by Half-yearly Payments, on the Day of and the Day of in every Year, until the whole of the said Principal Sum, and Interest thereon, shall be fully paid and discharged. Given under our Hands and Seals this Day of One thousand eight hundred and

Form of Receipt to Mortgagees.

RECEIVED the Day of One thousand eight hundred and of and from A. B. the Sum of of lawful Money of Great Britain, being the Sum to be paid into the Bank of England pursuant to the above Certificate, and which Sum is placed to the Account of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, being [*here describe the Account to which the same is to be carried*].

Witness my Hand,

For the Governor and Company of the Bank of England,
(Signed) Cashier.

Form of Transfer of Mortgage.

I A. B. [*or We*] being entitled to the Sum of by virtue of a Certificate bearing Date the Day of under the Hands and Seals of Two of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, acting in execution of an Act made in the Seventh and Eighth Years of the Reign of His present Majesty King George the Fourth, intituled [*here set forth the Title of this Act*], upon the Credit of certain Parts of the Possessions and Land Revenues of the Crown in Ireland, do hereby transfer all my [*or our*] Right and Interest in and to the same Sum, and all Interest now due and to arise or accrue due thereon, unto his [*or her or their*] Executors, Administrators [*or Successors*], and Assigns. Dated the Day of One thousand eight hundred and

C A P. LXIX.

An Act to provide for the Relief of Persons aggrieved by unlawful or excessive Distresses in *Ireland*. [2d July 1827.]

‘ WHEREAS the Expence of suing out and trying Replevins in *Ireland* is far beyond the Means of Persons usually occupying small Tenements or Farms, and such Persons may therefore frequently be subject to Injustice and Oppression;’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in all Cases where any Distress shall be made in *Ireland* for any Rent, Proportion of Rent, or Arrears of Rent, where the annual Amount of such Rent shall not exceed the Sum of Ten Pounds, it shall and may be lawful for any One or more Justice or Justices of the Peace in *Ireland*, within his or their Jurisdiction or Districts within which the Distress shall have been made, or the Cattle, Goods, or Chattels shall have been distrained or impounded, or for any Two or more Justices assembled at any Petty Session or reputed Sessions within such Districts, to take cognizance of and to examine into any Complaint which shall be made against any Person impounding any Cattle or distraining any Goods or Chattels for such Rent, or any Arrears thereof, setting forth that† when such Distress was taken, that there was either no Rent due, or that there was less Rent due than was claimed by the Person on whose Behalf such Distress was made; and if upon such Examination such Justice or Justices shall be of Opinion that such Complaint is well founded, it shall be lawful for such Justice or Justices to issue his or their Summons, requiring the Party complained against to attend and appear at the next or any subsequent Petty Session to be held in and for such District, at such Time and in such Place within such District as shall for that Purpose be named in such Summons, there to show Cause before the Justices of Peace there assembled, why Replevin and Deliverance of such Distress should not be made to such Complainant by virtue of this Act, and according to the Regulations herein contained.

II. And be it further enacted, That it shall be lawful for the Justices of the Peace (Two at least being present) at any such Petty Sessions at which the Party complained against shall be so summoned to attend and appear, and such Justices are hereby authorized and required (the Service of such Summons having been first satisfactorily proved, and whether the Party complained against shall or shall not attend and appear) to hear such Complaint, and to examine into the Truth of the same, and to enquire into and ascertain the Amount of the Rent or Arrears of Rent actually due, upon the Oath of the Complainant, or any other Person or Persons; and if it shall be made appear to such Justices that either no Rent was due, or that such Distress was taken for a larger Sum than was actually due, it shall and may be lawful for such Justices, and they are hereby required to order the† Replevin and Deliverance shall be made of the Cattle, Goods, or Chattels so distrained, to the Person or Persons so

Where a Distress is made for Rent not exceeding 10*l*. on Complaint to Justices that it is unlawful, they may issue Summons to Party complained against, to show Cause why Replevin should not be made.

† *Sic*.

Justices at Petty Sessions may grant Order for Replevin to be returnable to the next Quarter Sessions.

† *Sic*.

complaining, by the Poundkeeper or other Person in whose Custody the Cattle, Goods, or Chattels so distrained shall be; and such Order or Replevin and Deliverance shall be returnable to the Justices at the next General Quarter Sessions to be holden for the County, Division, City, Town, or Place within which such Distress shall have been taken or made, or such Cattle, Goods, or Chattels shall have been impounded, to be then and there tried and disposed of in manner hereinafter directed; and such Order of Replevin and Deliverance shall be in the Form or to the Effect hereafter specified and set forth.

Justices may
adjudge the
Payment of a
smaller Sum.

III. Provided always, and be it enacted, That it shall and may be lawful for such Justices at such Petty Sessions, upon the Hearing of such Case, to adjudge the Payment of any Sum which they may think justly due; and if Payment of such Sum shall not be made accordingly, or shall not be received by the Party on whose Behalf such Distress shall have been made, it shall and may be lawful for such Justices at such Petty Sessions either to grant or to refuse to grant such Order of Replevin or Deliverance, according as they shall think just and fit.

Justices shall
not make
Order for Re-
plevin until
Recognizances
and Sureties
are given.

† *Sec.*

IV. Provided always, and be it enacted, That it shall not be lawful for the Justices at any such Petty Sessions to make any such Order for Replevin and Deliverance of any such Distress, unless nor † until the Party complaining shall at such Petty Sessions have entered into Recognizance in Double the Amount of the Rent or Arrears of Rent which may appear to such Justices to be due, with Two sufficient Sureties, conditioned to abide the Decision upon such Case at the next ensuing Quarter Sessions.

Form of Re-
cognizance,
and Order of
Replevin.

V. And be it further enacted, That every Recognizance to be taken before such Justices of the Peace, before making any Order for the Replevin and Deliverance of any Cattle, Goods, or Chattels distrained, and every Order for Replevin and Deliverance of such Cattle, Goods, or Chattels, which shall be made by such Justices at Petty Sessions, shall be in the Form or to the Effect following respectively; (that is to say,)

' Form of Recognizance.

' **KNOW** all Men by these Presents, That we *A. B.* Principal,
' and *C. D.* of _____ and
' *E. F.* of _____ Sureties, do hereby
' acknowledge ourselves to be held and firmly bound to [*G. H.*
' *the Person or Persons making the Distress*], his [*or her*] Heirs,
' Executors, or Administrators, in the Sum of
' [*being Double the Sum ascertained by the Justices at Petty Ses-*
' *sions to be due*], for the true Payment of which we do hereby
' bind ourselves and each of us, and our and each of our Heirs,
' Executors, and Administrators. Sealed with our Seals, and
' dated this _____ Day of _____
' The Condition of the above Recognizance is, That if the said
' *A. B.* shall appear at the next General Quarter Sessions to be
' held at [*name the Place*], and shall then and there abide any
' Suit to be brought against him by or on Behalf of [*I. K. the*
' *Person by whom or on whose Behalf the Rent is claimed*], for the
' Sum of [*specify the Sum*], claimed as Rent or Arrears of Rent
' due

' due to the said *I. K.*, and if the said *A. B.* shall well and truly
' satisfy and pay such Sum of Money and Costs, as shall at such
' Quarter Sessions be decreed or awarded to be due from the said
' *A. B.* to the said *I. K.*, then this Recognizance shall be null and
' void, otherwise to remain in full Force and Effect in Law.

' Taken before us,

' *L. M.* } Justices of

' *N. O.* } Peace.

A. B. (Seal) Principal.

C. D. (Seal) } Sureties.

E. F. (Seal) }

' *Form of Order for Replevin and Deliverance.*

' **W**E, the undersigned *L. M.* of and *N. O.*
' of Justices of the Peace, at a Petty
' Sessions [or reputed Petty Sessions] held this Day at
' having duly and carefully examined into the Complaint of *A. B.*
' [the Person whose Goods have been distrained for Rent], and
' being of Opinion that at the Time such Distress was made,
' that† the Sum claimed as Rent or Arrears of Rent from the
' said *A. B.* was not justly due; and the said *A. B.* having
' entered into Recognizance with Two sufficient Sureties in
' Double the Amount which appears to us to be justly due, con-
' ditioned to abide the Trial or Suit to be instituted in such Case
' at the next General Quarter Sessions to be held at
' and fully to satisfy and pay whatever Sum and Costs shall be
' awarded and decreed to [*I. K. the Person by whom or on whose*
' *Behalf the Rent is claimed*]; We do hereby order and decree,
' That Replevin and Deliverance shall be made by you, the
' undernamed Poundkeeper, or Keeper of the Cattle [or Goods
' or Chattels] so distrained, to the said *E. F.* of the said Cattle
' [or Goods and Chattels] so distrained; that is to say [*here*
' *specify the Cattle or Goods or Chattels so distrained*]; and for
' your so doing this shall be your sufficient Authority. Given
' under our Hands and Seals, this Day

† *Sic.*

' To *P. Q.* Poundkeeper, or other
' Keeper of the Cattle or Goods
' or Chattels distrained.'

L. M. } Justices.
N. O. }

VI. And be it further enacted, That it shall be lawful for the
Poundkeeper or other Keeper of any Cattle, Goods, or Chattels
so distrained, in whose Custody such Cattle, Goods, or Chattels
shall be, such Poundkeeper or other Person being served with a
Copy of such Order for Replevin and Deliverance as aforesaid,
certified by the Signature of One of the Justices under whose
Authority such Order shall be made, or by the Clerk of the Petty
Sessions, and every such Poundkeeper or other Person as afore-
said is hereby authorized, empowered, and required to deliver up
the Cattle, Goods, or Chattels specified in such Order, to the
Person or Persons from whom they shall have been distrained as
aforesaid.

Poundkeeper
served with a
Copy of Order
signed by Jus-
tice or the
Clerk of Petty
Sessions, shall
deliver up the
Distress.

VII. And be it further enacted, That any and every Pound-
keeper or other Person as aforesaid so served with such Copy of
such Order certified as aforesaid, who after Tender made to him
of his lawful Fees shall neglect or refuse to deliver up such
Cattle

Penalty for not
delivering
Cattle, Goods,
or Chattels.

Cattle, Goods, or Chattels to the Person or Persons from whom they shall have been distrained as aforesaid, shall forfeit and pay a Sum not exceeding the Sum of Ten Shillings for every Twenty four Hours during which such Poundkeeper or other Person shall detain such Cattle, Goods, or Chattels in his Custody, after he shall have received such Copy of such Order of Replevin as aforesaid; and it shall be lawful for the Magistrates by whom such Order was made at the Petty Sessions aforesaid to issue their Warrant to levy such Penalty, and to pay the same to the Person aggrieved by the Detention of such Cattle, Goods, or Chattels as aforesaid.

Justices shall lodge original Recognizances with Clerk of the Peace Three Days before the Quarter Sessions.

VIII. And be it further enacted, That the Justices of the Peace making any such Order as aforesaid shall lodge and deliver, or cause or direct to be lodged and delivered, any and every original Recognizance, and any and every original Order for Replevin and Deliverance, which shall be taken before and shall be made by such Justices in the Execution of this Act, to the Clerk of the Peace or acting Clerk of the Peace for the County, District, City, Town, or Place where such Quarter Sessions shall be holden, Three Days (if practicable) previous to the First Day of such Quarter Sessions, or the Adjournment thereof, next after the making of any and every such Order respectively, but so that there shall be at least Two clear Days between the Delivery of every such Recognizance and Order to the Clerk of the Peace and the First Day of such Quarter Sessions or Adjournment; and such Clerk of the Peace shall keep and dispose of all such Recognizances and Orders under the Direction and Regulation of the Assistant Barrister there presiding for the Furtherance of Justice.

Validity of such Orders of Replevin shall be tried by Assistant Barrister, at Sessions, as Cases of Replevin.

† *Sic.*

IX. And be it further enacted, That the Validity and Effect of all such Orders of Replevin and Deliverance of Distress as shall be made pursuant to the Directions of this Act shall be tried and determined by and before the Assistant Barrister, or acting Assistant Barrister, or Chairman presiding at such Quarter Sessions, and he is hereby authorized and required to examine into and ascertain the Question whether any how and† much Rent was due (at the Time of such Distress having been made), in a summary Manner, in the Nature of a Civil Bill, upon the Application of either of the Parties concerned, whether the other Party shall attend or not; and on such Trial, the Party on whose Behalf any such Order of Replevin shall have been made shall be taken and considered in the Nature of a Plaintiff in Replevin, and the Party on whose Behalf such Distress was made shall be taken and considered in the Nature of a Defendant or Avowant in Replevin; and such Assistant Barrister or Chairman shall have such Jurisdiction, and such Power of summoning Witnesses, and of compelling their Attendance, as are or may by Law be given to or vested in such Assistant Barrister or Chairman in and for the Trial of Actions by Civil Bill, or of Ejectments, under any Act or Acts in force in *Ireland*; any Law, Usage, or Custom to the contrary in anywise notwithstanding.

Assistant Barrister may give Judgment and Decree for Rent due and Costs.

X. And be it further enacted, That it shall be lawful for such Assistant Barrister or Chairman, and he is hereby authorized, empowered, and required, upon any Trial or Determination in respect of any such Order for Replevin and Deliverance, to make, sign,

sign, and give a Judgment and Decree against the Goods and Persons of the Principal and Sureties, or any of them, in any such Recognizance, for any such Rent or Sum as such Assistant Barrister or Chairman shall adjudge to be due to the Person or Persons on whose Behalf such Distress shall have been made, at the Time when such Distress was made, whether such Rent or Arrears shall or shall not exceed the Sum of Ten Pounds, with reasonable Costs of Suit, to be paid to such Person or Persons; and if it shall appear to such Assistant Barrister or Chairman, upon such Trial and Examination as aforesaid, that no Rent or Arrears of Rent were due at the Time of such Distress, or that no more Rent was due than was ascertained by the Magistrates upon the Hearing of the Complaint at the Petty Sessions aforesaid, it shall and may be lawful for such Assistant Barrister or Chairman, and he is hereby authorized and required, to sign a Decree of Dismiss against the Party on whose Behalf such Distress was made, with reasonable Costs of Suit, to be levied on his Person or Goods, and to be paid to the Person who obtained such Order of Replevin and Deliverance, in manner hereinbefore directed by this Act.

XI. And be it further enacted, That in case either of the Persons so being in the Nature of Plaintiff or Defendant or Avowant in Replevin as aforesaid shall think himself or themselves aggrieved by the Judgment, Decision, or Decree of any Assistant Barrister or Chairman of the Sessions, it shall and may be lawful for any such Party to appeal to the next going Judge of Assize for the County, City, or Town within or for which such Quarter Sessions shall be held, or within the County of *Dublin*, to the Chief Justice of the Court of King's Bench or Common Pleas, or to the Chief Baron of the Exchequer, or other Judge of Nisi Prius for the City of *Dublin*, in like Manner as Appeals may by Law be made in Civil Bill Cases; and it shall be lawful for such Judge of Assize, and he is hereby authorized, empowered, and required to try and determine the Matter of such Appeal, and the Decision of such Judge shall be final and conclusive in the particular Case upon all Parties.

Appeal from Decree of Assistant Barrister.

XII. Provided always, and be it enacted, That it shall not be lawful to appeal from any such Decision, Judgment, or Decree of any such Assistant Barrister or Chairman as aforesaid, unless the Party intending to appeal shall give Security forthwith, or within Twenty four Hours next after such Decision, Judgment, or Decree shall be given, to the Satisfaction of the Assistant Barrister or Chairman whose Decision or Decree shall be sought to be contravened, duly to prosecute such Appeal, and to bring the Matter at Issue to a final Hearing before the next going Judge of Assize or other Judge as aforesaid.

On such Appeal the Appellant shall give Security.

XIII. Provided also, and be it enacted, That it shall not be lawful for any Person to proceed under the Authority of this Act in any Case where an Ejectment shall have been brought for the Nonpayment of the Rent distrained for, previous to Complaint having been made under this Act to the Magistrates at their Petty Sessions as aforesaid; any thing hereinbefore contained to the contrary in anywise notwithstanding.

No Proceedings under this Act in case of Ejectment previous to Complaint.

XIV. Pro-

Act shall not
extend to
Crown Rents,
&c.

XIV. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Distress made for any Crown Rent, Quit Rent, Composition Rent, Chief Rent, or Fee Farm Rent whatever, nor to any Distress for any Rent payable under any Lease, Demise, or Contract for ever, or for Lives renewable for ever, or for Nine hundred and ninety nine Years.

C A P. LXX.

An Act for enabling His Majesty to raise the Sum of Five hundred thousand Pounds by Exchequer Bills, and for appropriating the Supplies granted in this Session of Parliament.
[2d July 1827.]

- § I. The Treasury may raise 500,000*l.* by Exchequer Bills, in like Manner as prescribed by 48 G. 3. c. 1.
- II. The Clauses, &c. in that Act extended to this Act.
- III. Exchequer Bills to be paid out of the Supplies for next Session.
- IV. To bear an Interest not exceeding $3\frac{1}{2}$ d. *per Cent. per Diem.*
- V. And to be current at the Exchequer after April 5, 1828.
- VI. The Bank of *England* may advance not exceeding 500,000*l.* on the Credit of Exchequer Bills raised under this Act.
- VII. The Treasury may direct Exchequer Bills to be made out in like Manner as is prescribed by 48 G. 3. c. 1. which shall be charged upon the Supplies herein granted, and payable on Fourteen Days Notice.
- VIII. Clauses, &c. in that Act extended to this Act.
- IX. Exchequer Bills to bear Interest at $3\frac{1}{2}$ d. *per Cent. per Diem.*
- X. And be current at the Exchequer after the End of Four Months from their Date.
- XI. The Bank may advance not exceeding 4,000,000*l.* on the Credit of this Act.
- XII. Monies coming into the Exchequer by c. 1. *ante*, — £10,000,000 by Exchequer Bills under c. 2. *ante*, — Monies coming into the Exchequer by c. 7. *ante*, and by c. 16. *ante*, — £13,800,000 by Exchequer Bills under c. 41. *ante*, — all Monies coming into the Exchequer by c. 42. *ante*, — and also the said £500,000 by Exchequer Bills — shall be applied as hereinafter expressed.
- XIII. £6,125,850 0 7 For Naval Services for the Year 1827, (that is to say,)
- | | | | | |
|---------|----|----|---|-----------------------------|
| 955,500 | 0 | 0 | For Wages of 30,000 Men, including 9,000 Royal Marines, at 2 <i>l.</i> 9 <i>s.</i> <i>per Man, per Month.</i> | } For 13 Months. |
| 624,000 | 0 | 0 | For Victuals for 30,000 Men, at 1 <i>l.</i> 12 <i>s.</i> <i>per Man, per Month.</i> | |
| 184,107 | 11 | 7 | For Salaries of Officers and the contingent Expenses of the Admiralty, Navy Pay, Navy, and Victualling Offices. | |
| 158,728 | 5 | 8 | For Ditto of His Majesty's Yards at Home. | |
| 560,000 | 0 | 0 | For Wages to Artificers and Labourers in Ditto. | |
| 926,062 | 0 | 0 | For Timber and other Materials. | |
| 40,000 | 0 | 0 | For Pilotage and other Contingencies. | |
| 53,137 | 9 | 11 | For Salaries of Officers and contingent Expenses of Foreign Yards. | |
| 70,385 | 8 | 6 | Ditto | Ditto of Victualling Yards. |

	£ 6,511	7	5	For Salaries of Officers and contingent Expenses of Royal Naval College, and School for Naval Architecture.
	105,813	1	1	For Wages to Officers, Ship Keepers, and Men of Vessels in Ordinary.
	52,353	12	0	For Victuals for Ditto, also to Officers and Men borne on the Hulks and small Vessels.
	37,250	0	0	For Hire of Packets.
	20,000	0	0	For building Ships at Bombay.
	881,000	0	0	For Half Pay to Naval Officers.
	132,006	1	0	For Superannuations, Pensions, and Allowances to Naval Officers, their Widows and Relatives.
	1,500	0	0	For Bounty to Chaplains.
	8,000	0	0	For Widows and Orphans on the Compassionate List.
	105,000	0	0	For Deficiency in the Funds for Relief of Widows of Commissioned and Warrant Officers.
	10,000	0	0	For Widows of Marine Officers.
	250,000	0	0	For Deficiency in the Funds for Out-Pensioners of Greenwich Hospital.
	59,672	16	5	For Medical Establishments.
	159,853	7	2	For Superannuations to Commissioners, &c. and Allowances in lieu of Half Pay to Naval Officers formerly employed in Naval Departments.
	247,969	0	0	For Repairs and Improvements in the Dock Yards.
	259,000	0	0	For Provisions for Troops, &c. on Foreign Stations, and for the Convict Service, and the Value of Rations for Troops to be embarked on board Ships of War and Transports.
	220,000	0	0	For Transport Service.
XIV.	8,153,228	19	4½	For Land Forces for 1827; and other Services hereafter more particularly mentioned; (that is to say,)
	3,155,596	12	6	For the Forces in the United Kingdom, and Stations Abroad (except the <i>East Indies</i>).
	136,322	5	4	For General and Staff Officers, and Officers of Hospitals serving in the United Kingdom, and on Foreign Stations (except <i>India</i>).
	111,655	7	1	For Allowances to the principal Officers, &c. of Public Departments in <i>Great Britain</i> and <i>Ireland</i> , their Deputies and Clerks, and contingent Expenses.
	17,777	14	6	For Medicines and Surgical Materials for the Land Forces, and for certain Hospital Contingencies.
	153,148	2	0	For Volunteer Corps in <i>Great Britain</i> and <i>Ireland</i> .
	32,159	9	1	For Four Troops of Dragoons and Twenty Companies of Foot stationed in <i>Great Britain</i> for recruiting the Corps employed in the Territorial Possessions of the <i>East India</i> Company.
	148,226	7	6	For the Pay of General Officers not being Colonels of Regiments.
	36,272	1	7	For Garrisons at Home and Abroad.
	725,200	0	0	For Half Pay to reduced Officers.
	44,844	12	6	For Allowances to reduced and retired Officers.

	£ 104,100	0	0	For Half Pay and reduced Allowances to Officers of disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of Allowances to Widows and Children of deceased Foreign Officers.
	48,326	4	9	For In-Pensioners of <i>Chelsea</i> and <i>Kilmainham</i> Hospitals.
	1,312,917	10	11	For Out-Pensioners of <i>Chelsea</i> Hospital.
	118,000	0	0	For Full Pay for reduced, retired, and unattached Officers.
	135,868	16	8	For Pensions to Widows of Officers.
	193,063	13	9	For Allowances on the Compassionate List, of Allowances as of His Majesty's Bounty, and Pensions to Officers for Wounds.
	54,193	12	2	For Allowances, Compensations, and Emoluments, in the Nature of Superannuation or retired Allowances to Persons formerly belonging to Public Departments in the United Kingdom.
	33,000	0	0	For Exchequer Fees in <i>Great Britain</i> for Issues on Army Services.
	292,716	13	1½	For Disembodied Militia of the United Kingdom.
	850,000	0	0	For Extraordinary Expences of the Army.
	449,839	15	11	For the Commissariat Department.
XV.	48,476	0	0	For Salaries to the Lieutenant General, Principal Officers, and Clerks of the Office of Ordnance at the Tower and Pall Mall.
	9,255	0	0	For Salaries to the Departments of the Office of Ordnance at Woolwich.
	38,221	0	0	For Salaries to the Civil Establishments of the Ordnance at the Home and Foreign Stations.
	3,780	0	0	For Master Gunners at the Garrisons and Batteries in <i>Great Britain</i> , <i>Guernsey</i> , and <i>Jersey</i> .
	71,725	0	0	For the Corps of Royal Engineers, Sappers, and Miners; and for the Instruction of Sappers and Miners for <i>Great Britain</i> and the Colonies.
	259,136	0	0	For the Royal Regiment of Artillery for <i>Great Britain</i> .
	29,042	0	0	For the Brigade of Royal Horse Artillery, and a Rocket and Riding Troop for <i>Great Britain</i> .
	1,241	0	0	For the Director General of the Field Train, and the Field Train Department.
	7,954	0	0	For the Medical Establishment of the Military Department of the Ordnance.
	4,045	0	0	For the Establishment of the Civil Officers, Professors, and Masters of the Military Academy at Woolwich.
	106,436	0	0	For the Extraordinaries of the Office of Ordnance, after deducting 208,000 <i>l.</i> for Sales of old Stores, Savings, and unexpended Sums of former Grants, and for Rents received.
	4,652	0	0	For Services performed by the Office of Ordnance, and not provided for by Parliament in 1826.
	120,456	0	0	For the Office of Ordnance in <i>Ireland</i> , after deducting 7,000 <i>l.</i> for Sums unexpended upon former

				mer Grants, Sales of old Stores, and for Rents received.
£	313,069	0	0	For the Office of Ordnance in <i>Great Britain and Ireland</i> on account of Allowances to superannuated, retired, and Half-pay Officers; to superannuated and disabled Men and Pensioners; also for Pensions to Widows and Children of deceased Officers late belonging to the several Ordnance Military Corps.
	45,364	0	0	For Allowances, Compensations, and Emoluments in the Nature of superannuated or retired Allowances to Persons late belonging to the Office of Ordnance in <i>Great Britain and Ireland</i> , in respect of their having held any Public Offices or Employments of a Civil Nature, and for Widows Pensions.
	115,249	0	0	For the Barrack Department in <i>Great Britain</i> , after deducting 19,882 <i>l.</i> for condemned Stores, Rents of Canteens, &c.
	117,077	0	0	For Ditto in <i>Ireland</i> , after deducting 8,170 <i>l.</i> for Savings of former Grants, condemned Stores, Rents of Canteens, &c.
	135,205	0	0	For the Military Store Branch for <i>Great Britain, Ireland</i> , and the Colonies.
	217,489	0	0	For Military Works and Buildings in the Colonies, transferred from the Army Extraordinaries and Colonial Departments.
	2,100	0	0	For Sums to be paid at the Treasury and at the Exchequer for Fees on the Amount of the Ordnance Estimates.
XVI.	500,000	0	0	For additional Expences of the Forces in <i>Portugal</i> .
XVII.	23,200,000	0	0	For discharging Exchequer Bills, charged on the Supplies of the Years 1826 and 1827, remaining unpaid or unprovided for.
XVIII.	593,200	0	0	For Ditto, issued pursuant to 57 G. 3. c. 34. 58 G. 3. c. 45. and 1 G. 4. c. 60., for carrying on Public Works and Fisheries in the United Kingdom, and for building additional Churches.
XIX.	For the Charge of Civil and Military Establishments for the Year 1827, (that is to say,)			
	3,040	0	0	<i>Bahama Islands.</i>
	10,645	0	0	<i>Nova Scotia.</i>
	5,100	0	0	<i>New Brunswick.</i>
	4,000	0	0	<i>Bermuda.</i>
	2,820	0	0	<i>Prince Edward Island.</i>
	12,461	0	0	<i>Newfoundland.</i>
	13,874	1	8	<i>Sierra Leone.</i>
	34,800	15	8	Settlements on the <i>Gold Coast.</i>
XX.	5,000,000	0	0	For discharging the like Amount of Supplies granted for 1823, 1824, 1825, & 1826.
	13,229	3	7	For the Royal Military College.
	28,046	17	0	For the Royal Military Asylum.
	290,000	0	0	For Civil Contingencies.
	12,877	0	0	For the Expence of the British Museum.

£27,000	0	0	For Works and Repairs of Public Buildings.
7,000	0	0	For Works at <i>Port Patrick</i> Harbour.
8,000	0	0	For Ditto at <i>Donaghadee</i> Harbour.
20,000	0	0	For Ditto at the Royal Harbour of <i>George IV.</i> at <i>Kingstown</i> (formerly <i>Dunleary</i>).
12,000	0	0	For Buildings at the British Museum.
26,250	0	0	For rebuilding the Office of His Majesty's Privy Council, and of the Committee of the Privy Council for Trade.
100,000	0	0	For Repairs and Works to be executed at <i>Windsor Castle</i> .
25,160	0	0	For Works for the Accommodation of the Two Houses of Parliament.
8,000	0	0	For erecting Churches and providing Residences for Bishops in the <i>West Indies</i> .
18,612	0	0	For completing the new Courts of Justice at <i>Westminster</i> .
17,979	0	0	For the Expences of the Commissioners of the Roads and Harbours of <i>Holyhead</i> and <i>Howth</i> .
21,000	0	0	For Salaries and Allowances to Officers of the Houses of Lords and Commons.
16,000	0	0	For Expences of the Houses of Lords and Commons.
101,182	0	0	For the Deficiency of the Fee Fund in the Department of His Majesty's Treasury, Home and Foreign Secretaries of State, Secretary of State for the Colonies, Privy Council, and Privy Council for Trade.
75,823	0	0	For contingent Expences, and Messengers Bills for Ditto.
6,000	0	0	For Commissioners for enquiring into the Collection of the Revenue in <i>Ireland</i> , and into certain Revenue Departments in <i>Great Britain</i> .
7,000	0	0	For Commissioners for enquiring into the Nature, &c. of the Instruction afforded by the several Institutions in <i>Ireland</i> for Education.
5,700	0	0	For Salaries to certain Officers, and Expences of the Court and Receipt of the Exchequer.
958	5	0	For Salaries and Allowances to certain Professors in the Universities of <i>Oxford</i> and <i>Cambridge</i> , for reading Courses of Lectures.
14,540	0	0	For Salaries of Commissioners of Insolvent Debtors Court, and contingent Expences of their Office.
4,932	0	0	For Salaries of Officers and contingent Expences of the Office for the Superintendence of Aliens, and for Superannuations or retired Allowances to Officers formerly employed in that Service.
20,000	0	0	For the Establishment of the Penitentiary House at <i>Millbank</i> , from the 24th June 1827 to 24th June 1828.
17,250	12	6	For Retired Allowances or Superannuations to Persons formerly in Public Offices or Departments, or in the Public Service.

£ 14,970	0	0	For Relief to <i>Toulonese</i> and <i>Corsican</i> Emigrants, <i>Dutch</i> Naval Officers, and <i>St. Domingo</i> Sufferers, and others who have heretofore received Allowances from His Majesty.
3,000	0	0	For the National Vaccine Establishment.
4,000	0	0	For the Institution called the Refuge for the Destitute.
5,200	0	0	For the Relief of <i>American</i> Loyalists.
3,422	4	0	For confining and maintaining Criminal Lunatics.
5,912	7	10	For Allowances to Protestant Dissenting Ministers in <i>England</i> , poor <i>French</i> Protestant Refugee Clergy and Laity, and sundry small Charitable and other Allowances to the Poor of <i>Saint Martin's in the Fields</i> , and others.
53,000	0	0	For Foreign and other secret Services.
80,000	0	0	For Printing Acts of Parliament, and Bills, Reports, and other Papers for the Two Houses of Parliament.
7,500	0	0	For Printing under the Direction of the Commissioners of Public Records.
95,990	0	0	For Stationery, Printing, and Binding for the several Public Departments of Government, including the Establishment of the Stationery Office.
50,000	0	0	For the Extraordinary Expence of the Mint in the Gold Coinage.
20,343	0	0	To defray the Loss and Expence in the Re-coinage of the <i>Irish</i> Silver Tokens and Copper Coin.
5,000	0	0	For Extraordinary Expences for Prosecutions, &c. relating to the Coin.
19,628	0	0	For Ditto, in the Department of the Lord Chamberlain of His Majesty's Household, for Fittings and Furniture for the Two Houses of Parliament.
12,000	0	0	For Law Charges.
112,746	0	0	For confining, maintaining, and employing Convicts at Home and at <i>Bermuda</i> .
30,000	0	0	For Bills drawn from Abroad for Expences incurred under the Act for Abolition of the Slave Trade, and in conformity to the Orders in Council for the Support, &c. of captured Negroes, free Settlers, &c.
18,000	0	0	To pay the Salaries and incidental Expences of the Commissioners appointed on the Part of His Majesty, under the Treaties with <i>Spain</i> , <i>Portugal</i> , and the <i>Netherlands</i> , for preventing the illegal Traffic in Slaves.
50,000	0	0	For Expences of Missions and Special Commissions to the New States of <i>America</i> .
100,870	0	0	For Salaries and contingent Expences of Consuls General and Consuls, and Superannuations to retired Consuls.
120,000	0	0	For Bills drawn or to be drawn from <i>New South Wales</i> .

	£ 20,480	0	0	For the Expence of Emigration from the United Kingdom.
	50,000	0	0	For Indemnifications to certain Proprietors of Slaves in <i>America</i> , under the Treaty of <i>Ghent</i> and Conventions of <i>Saint Petersburg</i> and <i>London</i> , &c.
	2,442	10	0	For Colonial Services formerly paid out of the Extraordinaries of the Army.
	16,182	0	0	For the Society for the Propagation of the Gospel in several of the Colonies.
	56,000	0	0	For improving the Water Communication between <i>Montreal</i> and the <i>Ottawa</i> , and from the <i>Ottawa</i> to <i>Kingston</i> .
	49,000	0	0	For providing Stores for the Engineer Department in <i>New South Wales</i> and <i>Van Dieman's Land</i> , Bedding and Clothing for Convicts, Clothing and Tools for the liberated <i>Africans</i> at <i>Sierra Leone</i> , and <i>Indian Presents</i> for <i>Canada</i> .
XXI.	18,500	0	0	For the Protestant Charter Schools in <i>Ireland</i> .
	9,000	0	0	For the Society for discountenancing Vice.
	25,000	0	0	For the Society for the Education of the Poor.
	34,000	0	0	For the Foundling Hospital.
	23,000	0	0	For the House of Industry.
	6,900	0	0	For the <i>Richmond</i> Lunatic Asylum.
	7,500	0	0	For the <i>Hibernian</i> Society for Soldiers Children.
	1,800	0	0	For the <i>Hibernian</i> Marine Society.
	1,831	0	0	For the Female Orphan House.
	3,500	0	0	For the <i>Westmorland</i> Lock Hospital.
	2,770	0	0	For the Lying-in Hospital.
	1,700	0	0	For Doctor <i>Stevens's</i> Hospital.
	4,210	0	0	For the Fever Hospital, <i>Cork Street, Dublin</i> .
	465	0	0	For the Hospital of Incurables.
	8,928	0	0	For the Roman Catholic Seminary at <i>Maynooth</i> .
	1,500	0	0	For the Royal <i>Cork</i> Institution.
	7,000	0	0	For the Royal <i>Dublin</i> Society.
	300	0	0	For the Royal <i>Irish</i> Academy.
	700	0	0	For the Board of Charitable Bequests.
XXII.	10,000	0	0	For the Linen Board.
	16,810	0	0	For the Board of Works.
	15,886	0	0	For Printing, Stationery, and other Disbursements of the Public Offices in <i>Dublin</i> Castle.
	5,800	0	0	For publishing Proclamations and other Matters of a Public Nature.
	3,500	0	0	For Printing Statutes.
	33,579	0	0	For Criminal Prosecutions.
	14,360	6	0	For Nonconforming, Seceding, and Protestant Dissenting Ministers.
	944	0	3	For the Salaries to Lottery Officers.
	4,748	0	0	For Inland Navigations.
	24,300	0	0	For the Police and Watch Establishments of <i>Dublin</i> .
	7,324	0	0	For the Expence of the Commissioners of Judicial Enquiry.

- £ 3,487 0 0 For the Record Commission.
 20,000 0 0 For carrying on certain Public Works in *Ireland*.
- XXIII. Lord Lieutenant, &c. of *Ireland* may withhold, or issue under such Conditions as he shall think fit, the Sums for the Protestant Charter Schools of *Ireland*, for the Association for discountenancing Vice, or for the Education of the Poor.
- XXIV. Supplies to be applied only for the Purposes aforesaid.
- XXV. Rules to be observed in the Application of the Sum appropriated to Half Pay. Proviso as to the receiving of Half Pay under any Act relating to the General or Local Militia, or the Yeomanry or Volunteers.
- XXVI. Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required by 7 G. 4. c. 79. indemnified.
- XXVII. Half Pay allowed to the Officers of the *Manx* Fencibles.
- XXVIII. Half Pay allowed to Chaplains of Regiments not being in Possession of Ecclesiastical Benefices derived from the Crown.
- XXIX. The Surplus of the Sum appropriated to be paid to Half Pay Officers, by 7 G. 4. c. 79. authorized to be disposed of as His Majesty shall direct.
- XXX. Widows of Officers of the Land Forces, and Persons claiming Allowances on the Compassionate List or as of His Majesty's royal Bounty, shall take such Oath as shall be required by the Warrant for issuing such Pensions and Allowances before a Justice of the Peace, or other Person authorized to administer an Oath, or the Cashier of Widows' Pensions, or the first Assistant Examiner of the same in the Office of the Paymaster General of the Land Forces.

C A P. LXXI.

An Act to prevent Arrests upon Mesne Process where the Debt or Cause of Action is under Twenty Pounds; and to regulate the Practice of Arrests. [2d July 1827.]

‘ WHEREAS by an Act made in the Twelfth Year of the 12 G. 1. c. 29.
 ‘ Reign of His late Majesty King *George* the First, intituled
 ‘ *An Act to prevent frivolous and vexatious Arrests*, it was amongst
 ‘ other Things enacted, That from and after the Twenty fourth
 ‘ Day of *June* One thousand seven hundred and twenty six no
 ‘ Person should be held to Special Bail upon any Process issuing
 ‘ out of any superior Court where the Cause of Action should
 ‘ not amount to the Sum of Ten Pounds or upwards, nor out of
 ‘ any inferior Court where the Cause of Action should not amount
 ‘ to the Sum of Forty Shillings or upwards; and that in all Cases
 ‘ where the Cause of Action should not amount to Ten Pounds or
 ‘ upwards in any such superior Court, or to Forty Shillings or
 ‘ upwards in any such inferior Court, and the Plaintiff or Plaintiffs
 ‘ should proceed by way of Process against the Person, he, she, or
 ‘ they should not arrest, or cause to be arrested, the Body of the
 ‘ Defendant or Defendants, but should serve him, her, or them
 ‘ personally, within the Jurisdiction of the Court, with a Copy
 ‘ of the Process; and if such Defendant or Defendants should not
 ‘ appear at the Return of the Process, or within Four Days after
 ‘ such Return, in such Case it should be lawful for the Plaintiff or
 ‘ Plaintiffs,

5 G. 2. c. 27.

19 G. 3. c. 70.

43 G. 3. c. 46.

' Plaintiffs, upon Affidavit being made and filed in the proper
 ' Court of the personal Service of such Process as aforesaid (which
 ' Affidavit should be filed *gratis*), to enter a Common Appearance
 ' or file Common Bail for the Defendant or Defendants, and to
 ' proceed thereon as if such Defendant or Defendants had entered
 ' his, her, or their Appearance, or filed Common Bail; which Act
 ' was explained and amended by an Act passed in the Fifth Year
 ' of the Reign of His Majesty King George the Second, intituled
 ' *An Act to explain, amend, and render more effectual an Act made*
 ' *in the Twelfth Year of the Reign of His late Majesty King George*
 ' *the First, intituled 'An Act to prevent frivolous and vexatious*
 ' *Arrests.'* And Whereas by the said Act made in the Fifth Year
 ' of the Reign of His said late Majesty King George the Second
 ' it was enacted, that where the Cause of Action should not amount
 ' to Ten Pounds or upwards in any superior Court, or to Forty
 ' Shillings or upwards in any inferior Court, no Special Writ or
 ' Writs, nor any Process specially therein expressing the Cause
 ' or Causes of Action, should be sued forth or issued from any
 ' such superior or inferior Court, to compel any Person or Persons
 ' to appear thereon in such Court or Courts; and all Proceedings
 ' and Judgments on any such Writs are thereby declared to be
 ' void and of none Effect: And Whereas the said several Acts
 ' being temporary, the same were afterwards made perpetual by
 ' an Act passed in the Twenty first Year of the Reign of His
 ' said late Majesty King George the Second: And Whereas by
 ' an Act passed in the Nineteenth Year of the Reign of His late
 ' Majesty King George the Third, intituled *An Act for extending*
 ' *the Provisions of an Act made in the Twelfth Year of the Reign*
 ' *of King George the First, intituled 'An Act to prevent frivolous*
 ' *and vexatious Arrests; and for other Purposes,'* it was enacted,
 ' that from and after the First Day of July One thousand seven
 ' hundred and seventy nine no Person should be arrested or held
 ' to Special Bail upon any Process issuing out of any inferior Court
 ' where the Cause of Action should not amount to the Sum of Ten
 ' Pounds or upwards, but that the like Copies of Process should
 ' be served, and the like Proceedings had thereupon in such inferior
 ' Court, in all Cases where the Cause of Action should not amount
 ' to Ten Pounds or upwards, as are directed to be had by the said
 ' Act of the Twelfth Year of the Reign of King George the First,
 ' in such inferior Court, where the Cause of Action shall not
 ' amount to the Sum of Forty Shillings; any Law or Usage to the
 ' contrary notwithstanding: and further Provisions were made
 ' touching Proceedings in such inferior Courts, in Conformity to
 ' the Provisions of the said former Act; and so much of any Act
 ' or Acts passed for the Recovery of Debts within any Districts
 ' and Jurisdictions, as authorized Arrest and Imprisonment of
 ' Defendants where the Cause of Action should amount to less
 ' than Ten Pounds, was thereby repealed; and further Provisions
 ' were made touching Actions in inferior Courts where the Cause
 ' of Action should not amount to Ten Pounds: And Whereas by
 ' an Act passed in the Forty third Year of the Reign of His late
 ' Majesty King George the Third, intituled *An Act for the more*
 ' *effectual Prevention of frivolous and vexatious Arrests and Suits,*
 ' *and to authorize the levying of Poundage upon Executions in certain*
 ' *Cases,*

‘ *Cases*, it was enacted, that from and after the First Day of *June* One thousand eight hundred and three no Person should be arrested or held to Special Bail upon any Process issuing out of any Court within those Parts of the United Kingdom of *Great Britain* and *Ireland* called *England* and *Ireland*, for a Cause of Action not originally amounting to such Sum for which such Person was by the Laws then in being liable to be arrested and held to Bail, over and above and exclusive of any Costs, Charges, and Expences that may have been incurred, recovered, or become chargeable in or about the suing for or recovering the same or any Part thereof: And Whereas it is expedient to extend and render more effectual the Provisions of the said recited Acts; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *August* One thousand eight hundred and twenty seven no Person shall be held to Special Bail upon any Process issuing out of any Court, where the Cause of Action shall not have originally amounted to the Sum of Twenty Pounds or upwards, over and above and exclusive of any Costs, Charges, and Expences that may have been incurred, recovered, or become chargeable in or about the suing for or recovering the same or any Part thereof; and that in all Cases where the Cause of Action shall not amount to Twenty Pounds or upwards, exclusive of such Costs, Charges, and Expences as aforesaid, and the Plaintiff or Plaintiffs shall proceed by the way of Process against the Person, he, she, or they shall not arrest or cause to be arrested the Body of the Defendant or Defendants, but shall serve him, her, or them personally, within the Jurisdiction of the Court, with a Copy of the Process and Proceedings thereupon, in such Manner as by the said Act of the Twelfth Year of the Reign of His late Majesty King *George* the First is provided in Cases where the Cause of Action shall not amount to Ten Pounds or upwards in any superior Court, or to Forty Shillings or upwards in any inferior Court; and that where the Cause of Action in any Court shall not amount to the Sum of Twenty Pounds, exclusive of such Costs, Charges, and Expences as aforesaid, no Special Writ or Writs, nor any Process specially therein expressing the Cause or Causes of Action, shall from and after the said First Day of *August* be sued forth or issued from any Court, in order to compel any Person or Persons to appear thereon in such Court; and all Proceedings and Judgments that shall from and after the said First Day of *August* be had on any such Writ or Process shall be and are hereby declared to be void and of no Effect.

‘ II. And Whereas by the said Act passed in the Forty third Year of the Reign of His late Majesty King *George* the Third, Persons arrested upon Mesne Process were enabled, in lieu of giving Bail to the Sheriff, to deposit in the Hands of the Sheriff the Sum indorsed upon the Writ, together with Ten Pounds in addition to such Sum, to answer the Costs which might accrue up to the Time of the Return of the Writ, and also such further Sum, if any, as should have been paid for the King’s Fine upon any Original Writ, and should thereupon be discharged from

No Person to be held to Special Bail where the Cause of Action is less than 20*l*.

Defendant discharged from Arrest upon making Deposit

with the Sheriff pursuant to 48 G. S. c. 46. may, instead of perfecting Special Bail, allow Deposit to be paid into Court; or if he remains in Custody, or gives Bail to the Sheriff, he may pay the Debt into Court, with 20s. to answer Costs, and file Common Bail.

*has title last
14 perfecting
1. 6 Def.
634.*

such Arrest: And Whereas it is expedient to extend the Provisions of the said Act, and to enable Persons who have been arrested to deposit or pay into the Court in which the Writ shall be returnable the Sum indorsed upon the Writ, together with an additional Sum as a Security for Costs, to abide the Event of the Suit, instead of putting in and perfecting Bail in the said Action; Be it therefore enacted, That in all Cases in which any Defendant shall have been discharged from Arrest upon making such Deposit as is required by the said recited Act, and the Sum so deposited shall have been paid into Court, it shall be lawful for such Defendant, instead of putting in and perfecting Special Bail in the Action, according to the Course and Practice of the Court, to allow the Sum so deposited with the Sheriff, and by him paid into Court as aforesaid, together with the additional Sum of Ten Pounds, to be paid into Court by such Defendant as a further Security for the Costs of the Action, to remain in the Court to abide the Event of the Suit; and in all Cases where any Defendant shall have been arrested and shall have given Bail to the Sheriff, or shall have been arrested and remain in Custody, it shall be lawful for such last-mentioned Defendant, instead of putting in and perfecting Special Bail, to deposit and pay into the said Court the Sum indorsed upon the Writ, together with the Amount of the King's Fine, if any, upon the Original Writ, and the further Sum of Twenty Pounds as a Security for the Costs of the Action, there to remain to abide the Event of the Suit; and thereupon the said Defendant may, and he is hereby required to enter a Common Appearance, or file Common Bail in the Action, within such Time as he would have been required to have put in and perfected Special Bail in the Action according to the Course of the said Court, or in default thereof the Plaintiff in the Action is hereby empowered to enter such Common Appearance or file Common Bail for the said Defendant, and the Cause may proceed as if the Defendant had put in and perfected Special Bail; and in case Judgment in the said Action shall be given for the Plaintiff, he shall be entitled, by Order of the Court, upon Motion made for that Purpose, to receive the said Money so remaining in, or so deposited or paid into the Court as aforesaid, or so much thereof as will be sufficient to satisfy the Sum recovered by the Judgment and the Costs of the Application; and if Judgment be given in the said Action for the Defendant, or the Plaintiff discontinue his Suit, or be otherwise barred, or in case the Sum deposited and paid into Court be more than sufficient to satisfy the Plaintiff, the said Money so deposited or paid into Court, or so much thereof as shall remain, shall by Order of the Court, upon Motion to be made for that Purpose, be repaid to such Defendant.

Defendant may receive such Deposit and Payment out of Court, upon perfecting Special Bail.

III. Provided always, and be it enacted, That it shall and may be lawful for the said Defendant who hath made his Election to make such Deposit and Payment as aforesaid, at any Time in the Progress of the Cause before Issue joined in Law or Fact, or final or interlocutory Judgment signed, to receive the same out of Court, by Order of the said Court, upon putting in and perfecting Special Bail in the Cause, and Payment of such Costs to the Plaintiff as the said Court shall direct.

IV. Pro-

IV. Provided also, and be it further enacted, That it shall and may be lawful for any Defendant who shall have put in and perfected Special Bail in any Cause, upon Motion to the Court in which the Action is brought, if the Court shall so think fit, to deposit and pay into Court the Sum which would have been deposited and paid in case the Defendant had originally elected so to do, together with such further Sum, to answer the Costs, as the Court may direct, to abide the Event of the said Suit, and to be disposed of in manner aforesaid; and thereupon it shall be lawful for the said Court to direct a Common Appearance to be entered, or Common Bail to be filed for the Defendant, and an Exoneretur to be entered upon the Bail Piece in the said Cause.

Defendant, after perfecting Bail, may make Deposit and Payment, and file Common Bail.

V. And Whereas the Provisions in the said Acts authorizing Plaintiffs, in default of Appearance of Defendants, to enter a Common Appearance, or file Common Bail, as therein directed, are not deemed to extend to Proceedings by Original and other Writs whereupon no Capias is issued, and it is expedient to extend the Provisions of the said former Acts to such Proceedings; Be it further enacted, That in all Cases where the Plaintiff or Plaintiffs shall proceed by Original or other Writ, and Summons or Attachment thereupon, or by Subpcena and Attachment thereupon, in any Action at Law against any Person or Persons not having Privilege of Parliament, no Writ of Distringas shall issue for Default of Appearance, but the Defendant or Defendants shall be served personally with the Summons or Attachment, at the Foot of which shall be written a Notice, informing the Defendant or Defendants of the Intent and Meaning of such Service, to the Effect following :

Personal Service of Summons to appear.

C. D. [naming the Defendant], You are served with this Process at the Suit of A. B. [naming the Plaintiff or Plaintiffs], to the Intent that you may appear by your Attorney in His Majesty's Court of *at Westminster, at*
 the Return hereof, being the *Day of*
 , in order to your Defence in this Action; and
 take notice, that in default of your Appearance the said *A. B.*
 will cause an Appearance to be entered for you, and proceed thereon as if you had yourself appeared by your Attorney.'

But in case it shall be made appear to the Satisfaction of the Court, or, in the Vacation, of any Judge of the Court from which such Process shall issue, or into which the same shall be returnable, that the Defendant or Defendants could not be personally served with such Summons or Attachment, and that such Process had been duly executed at the Dwelling House or Place of Abode of such Defendant or Defendants, and then† it shall and may be lawful for the Plaintiff or Plaintiffs, by Leave of the Court, or Order of such Judge as aforesaid, to sue out a Writ of Distringas to compel the Appearance of such Defendant or Defendants; and that at the Time of the Execution of such Writ of Distringas there shall be served on the Defendant or Defendants, by the Officer executing such Writ, if he, she, or they can be met with, and if he, she, or they cannot then be met with, there shall be left at his, her, or their Dwelling House or other Place where such Distringas shall be executed, a written Notice in the following Form :

When Defendant does not appear, the Plaintiff may proceed by Writ of Distringas.

† Sic.

Form of Notice
on the Execu-
tion of Writ of
Distringas.

‘ IN the Court of [specifying the Court in which
the Suit shall be depending], between A. B. Plaintiff and C. D.
Defendant, [naming the Parties]: Take Notice, that I have this
Day distrained upon your Goods and Chattels for the Sum of
Forty Shillings, in consequence of your not having appeared
by your Attorney in the said Court at the Return of a Writ of
returnable there on the
Day of ; and that in default of your
appearing to the present Writ of Distringas at the Return thereof,
being the Day of the
said A. B. will cause an Appearance to be entered for you, and
proceed thereon as if you had yourself appeared by your Attor-
ney.

‘ E. F. [the Name of the Sheriff's Officer.]’

‘ To C. D. the above-named Defendant.’

If Defendant
does not appear
within Eight
Days, Plaintiff
may enter a
Common Ap-
pearance.

And if such Defendant or Defendants shall not appear at the
Return of such Original or other Writ, or of such Distringas, as
the Case may be, or within Eight Days after the Return thereof,
in such Case it shall and may be lawful to and for the Plaintiff or
Plaintiffs, upon Affidavit being made and filed in the proper Court
of the personal Service of such Summons or Attachment, and
Notice written on the Foot thereof as aforesaid, or of the due Ex-
ecution of such Distringas, and of the Service of such Notice as is
hereby directed on the Execution of such Distringas, as the Case
may be, to enter a Common Appearance for the Defendant or
Defendants, and to proceed thereon as if such Defendant or
Defendants had entered his, her, or their Appearance; any Law
or Usage to the contrary notwithstanding; and that such Affidavit
or Affidavits may be made before any Judge or Commissioner of
the Court out of or into which such Writ shall issue or be return-
able, authorized to take Affidavits in such Court, or else before the
proper Officer for entering Common Appearances in such Court,
or his lawful Deputy, and which Affidavit is hereby directed to
be filed gratis.

From 1st Au-
gust 1827, the
Provisions of
19 G. 3. c. 70.
extended to
Actions for
higher Sums.

nr. 10 B. 86.
H5B

VI. And be it further enacted, That all and every the Provi-
sions contained in the said Act of the Nineteenth Year of the Reign
of His late Majesty King George the Third, respecting Actions in
inferior Courts where the Cause of Action should amount to less
than Ten Pounds, shall be and the same are hereby, from and
after the said First Day of August, extended to all Actions in such
Courts where the Cause of Action shall not amount to Twenty
Pounds, exclusive of all Costs, Charges, and Expences as afore-
said; and that so much of any Act or Acts heretofore passed for
the Recovery of Debts within certain Districts and Jurisdictions,
which may have authorized the Arrest and Imprisonment of De-
fendants when the Cause of Action amounts to less than Twenty
Pounds, exclusive of such Costs, Charges, and Expences as afore-
said, shall be and the same is hereby, from and after the said First
Day of August, repealed.

‘ VII. And Whereas the holding to Special Bail Persons inhabit-
ing within the Principality of Wales, or Counties Palatine, by
Process out of the Courts of Record at Westminster, in Debts of
small Amount, is oppressive and vexatious, and the Remedy
intended

'intended for Prevention thereof, by an Act passed in the Eleventh and Twelfth Years of the Reign of King William the Third, intituled *An Act for preventing of frivolous and vexatious Suits in the Principality of Wales, and the Counties Palatine*, ought to be amended and extended;' Be it enacted, That no Sheriff or other Officer within the said Principality, or the Counties Palatine of *Chester, Lancaster, or Durham*, shall, upon any Mesne Process issuing out of any of His Majesty's Courts of Record at *Westminster*, after the said First Day of *August*, arrest or hold any Person to Special Bail, unless such Process shall be duly marked and indorsed for Bail in a Sum not less than Fifty Pounds.

As to Arrests in Wales, Chester, Lancaster, or Durham, by Process out of any Courts at Westminster.

'VIII. And Whereas Arrests of the Person have in many Instances been made under Writs sued out by Persons not being Attornies or Solicitors, and whose Places of Residence have been unknown, and the Practice has been found to be productive of Oppression and Vexation;' Be it enacted, That from and after the said First Day of *August* next, no Sheriff, Under Sheriff, or other Officer having the Execution of Process, shall grant any Warrant for the Arrest of, or shall arrest the Person of any Defendant, upon any Writ or Process issued by any Plaintiff in his own Person, unless the same Writ shall, at or before the Time of granting such Warrant or of making such Arrest, be delivered to such Sheriff, Under Sheriff, or other Officer having the Execution of Process, by some Attorney of One of the Courts of Record at *Westminster*, or of the Courts of Great Sessions in *Wales*, or of the Courts of the Counties Palatine of *Lancaster or Durham*, or of the Court out of which the said Writ shall have issued, or by the Clerk of such Attorney, or an Agent authorized by such Attorney in Writing, and unless the said Writ shall be indorsed by such Attorney or his Clerk, or such Agent as aforesaid, in the Presence of such Sheriff, Under Sheriff, or other Officer having the Execution of Process, with the Name and Place of Abode of such Attorney.

Sheriff, &c. not to execute Process, unless the Writ be delivered by an Attorney, &c. and indorsed with his Name and Place of Abode.

'IX. And be it further enacted, That all Warrants granted, and all Arrests of the Person made, contrary to the Provisions of this Act, shall be altogether illegal and void: Provided always, that nothing herein contained shall extend to any Writ or Process sued out by any Attorney, Solicitor, Clerk of Court, or other Officer of any Court, having Authority to sue out Process in his own Name.

Warrants, &c. contrary hereto, void. Exception.

'X. Provided always, That nothing herein contained shall extend to those Parts of the United Kingdom called *Scotland and Ireland*.

Act not to extend to Scotland or Ireland.

C A P. LXXII.

An Act to amend the Acts for building and promoting the building of additional Churches in populous Parishes.

[2d July 1827.]

'WHEREAS an Act was passed in the Fifty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for building and promoting the building of additional Churches in populous Parishes*, whereby it was enacted, that it should be lawful for His Majesty, by Letters Patent, to appoint such Persons as His Majesty should deem fit, to be His Com-

58 G. 3. c. 45.

59 G. 3. c. 134.

8 G. 4. c. 72.

5 G. 4. c. 103.

Term of Commissioners' Powers further continued.

Commissioners may divide Parishes under certain Restrictions.

'missioners for carrying into Execution the Purposes of the said Act, and that the said Commission should continue in force for the Term of Ten Years from the Date thereof, unless His Majesty should think fit sooner to revoke the same: And Whereas another Act was passed in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, for the Purpose of amending and rendering more effectual the said Act, whereby it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, when and so often as any Vacancy should arise of any of the Commissioners appointed under the Provisions of the said recited Act, or the Act now in Recital, to supply any such Vacancy or Vacancies, by the Appointment of any other Person or Persons, and also from time to time to appoint additional Commissioners, who, together with the Persons before appointed, should be the Commissioners for carrying into Execution the Purposes of the said Act and the Act now reciting; and the Commissioners so appointed by His Majesty were thereby declared to be a Body Corporate, by the Style of 'His Majesty's Commissioners for building New Churches,' and should have a Common Seal: And Whereas another Act was passed in the Third Year of His present Majesty, for the Purpose of amending and rendering more effectual the said Two Acts so passed as aforesaid: And Whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, for amending and rendering more effectual the said Three Acts so passed as aforesaid: And Whereas Commissioners for the Purpose of carrying into effect the aforesaid Acts have been duly appointed, and they have proceeded in the Execution of the Powers so vested in them: And Whereas it is expedient that the Time for the Execution of the Commission granted by His Majesty in pursuance of the said Acts, and which is limited to the Term of Ten Years by the said first-mentioned Act, should be extended, and that the Powers contained in the aforesaid Acts should be altered and enlarged; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Persons now or hereafter to be appointed to be His Majesty's Commissioners for building New Churches, and for the carrying into Effect the aforesaid Acts and this Act, shall continue to be such Commissioners, and the said Commission shall continue in force for the Term of Ten Years from the Twentieth Day of *July* One thousand eight hundred and twenty eight, instead of the said Term of Ten Years so fixed as aforesaid, unless His Majesty, His Heirs or Successors, shall think fit sooner to revoke the said Commission.

II. And be it further enacted, That it shall be lawful for the said Commissioners to divide any Parish or Extra-parochial Place into such Ecclesiastical Districts in manner provided by the said Act passed in the Fifty eighth Year of the Reign of His late Majesty King *George* the Third; and if there shall not be any Burial Ground within such District, then and in every such Case, until a Burial Ground shall be provided, the Bodies of Persons dying within such District may be interred in the Cemetery of the Parish Church, in all respects as if such Division had not taken place.

III. And

HL. And be it further enacted, That when any Person or Persons shall, to the Satisfaction of the said Commissioners, endow any Chapel built or hereafter to be built by such Person or Persons, with some permanent Provision in Land or Monies in the Funds exclusively, or in addition to the Pew Rents or other Profits arising from the said Chapel, such Endowment to be settled and assured as the said Commissioners shall authorize and direct, it shall be lawful for the said Commissioners to declare that the Right of nominating a Minister to the said Chapel shall for ever thereafter be in the Person or Persons building and endowing the said Chapel, his, her, or their Heirs and Assigns, or in such Person or Persons as he, she, or they shall appoint, and notwithstanding no Compensation or Endowment may be made to or for the Benefit of the Minister of the Church of the Parish within which such Chapel may be built.

Persons endowing Chapels to have the Nomination of Minister.

C A P. LXXIII.

An Act to continue, until the Thirty first Day of *December* One thousand eight hundred and twenty nine, an Act of the Fourth Year of His present Majesty, for the better Administration of Justice in *New South Wales* and *Van Diemen's Land*. [2d July 1827.]

‘ WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to provide until the First Day of July One thousand eight hundred and twenty seven, and until the End of the next Session of Parliament, for the better Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto* : 4 G. 4. c. 96.
 ‘ And Whereas the said Act will expire at the End of the Session of Parliament next following the First Day of *July* One thousand eight hundred and twenty seven; and it is expedient to continue the said Act for a limited Time;’ Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby continued until the Thirty first Day of *December* One thousand eight hundred and twenty nine. Recited Act continued.

C A P. LXXIV.

An Act to carry into Execution a Convention between His Majesty and the Emperor of *Brazil*, for the Regulation and final Abolition of the *African Slave Trade*. [2d July 1827.]

‘ WHEREAS a Convention was concluded between His Majesty and His Majesty the Emperor of *Brazil*, for the Regulation and final Abolition of the *African Slave Trade*, so far as relates to the Dominions and Subjects of the *Brazilian* Empire, and signed at *Rio de Janeiro* on the Twenty third Day of *November* in the Year of our Lord One thousand eight hundred and twenty six : And Whereas by the First Article of the

' the said Convention it was agreed upon and concluded between
 ' the High Contracting Parties, that at the Expiration of Three
 ' Years, to be reckoned from the Exchange of the Ratifications
 ' of the present Treaty, it should not be lawful for the Subjects
 ' of the Emperor of *Brazil* to be concerned in the carrying on of
 ' the *African Slave Trade*, under any Pretext or in any Manner
 ' whatever, and that the carrying on such Trade after that, by
 ' any Person Subject of His Imperial Majesty, should be deemed
 ' and treated as Piracy: And Whereas by the Second Article of
 ' the said Convention His Majesty and His Majesty the Emperor
 ' of *Brazil*, deeming it necessary to declare the Engagements
 ' by which they hold themselves bound to provide for the Re-
 ' gulation of the said Trade till the Time of its final Abolition,
 ' did mutually agree to adopt and renew, as effectually as if the
 ' same were inserted Word for Word in the said Convention, the
 ' several Articles and Provisions of the Treaties concluded
 ' between His Majesty and the King of *Portugal* on this Subject
 ' on the Twenty second of *January* One thousand eight hundred
 ' and fifteen, and on the Twenty eighth of *July* One thousand
 ' eight hundred and seventeen, and the several explanatory
 ' Articles which have been added thereto; and by the Third
 ' Article of the said Convention the High Contracting Parties
 ' further agreed, that all the Matters and Things contained in
 ' those Treaties, together with the Instructions and Regulations
 ' and Forms of Instruments annexed to the Treaty of the Twenty
 ' eighth *July* One thousand eight hundred and seventeen, should
 ' be applied *mutatis mutandis* to the said Contracting Parties
 ' and their Subjects, as effectually as if they were recited Word
 ' for Word therein, confirming and approving thereby all Matters
 ' and Things done by their respective Subjects under the said
 ' Treaties and in Execution thereof; and by the Fourth Article
 ' of the said Convention, for the Execution of the Purposes of
 ' the said Convention, the said High Contracting Parties further
 ' agreed to appoint forthwith Mixed Commissions, after the
 ' Form of those already established on the Part of His *Britannic*
 ' Majesty and the King of *Portugal* under the Convention of the
 ' Twenty eighth of *July* One thousand eight hundred and seven-
 ' teen: And Whereas by the Fifth Article of the said Con-
 ' vention it is agreed, that the said Convention should be
 ' ratified, and the Ratifications should be exchanged at *London*
 ' within Four Months from the Date thereof, or sooner if possible;
 ' and the same has been done accordingly: And Whereas it is
 ' expedient and necessary that effectual Provision should be made
 ' for carrying into Execution the Provisions of the said Con-
 ' vention: And Whereas the several Articles and Provisions of
 ' the Treaties, and the several explanatory Articles which have
 ' been added thereto, mentioned in the said Second Article, and
 ' the Instructions and Regulations and Forms of Instruments
 ' annexed to the Treaty mentioned in the said Third Article,
 ' are fully set forth in an Act made and passed in the Fifth
 ' Year of His present Majesty, intituled *An Act to amend and*
 ' *consolidate the Laws relating to the Abolition of the Slave Trade*,
 ' reciting and confirming an Act made and passed in the Fifty-
 ' eighth Year of His late Majesty King *George the Third*, in-
 ' titled

5 G. 4. c. 113.

58 G. 3. c. 85.

'intituled *An Act to carry into Execution a Convention made between*
 'His Majesty and the King of Portugal, for the preventing Traffic
 'in Slaves, and an Act made and passed in the Fifty-ninth Year
 'of His late Majesty King George the Third, intituled *An Act to* 59 G. 3. c. 17.
 'amend an Act of last Session of Parliament, for carrying into Ex-
 'ecution a Convention made between His Majesty and the King of
 'Portugal, for the preventing the Traffic in Slaves;' Be it
 therefore enacted by the King's most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That the several Treaties,
 Articles, Matters and Things aforesaid, as the same are set forth
 in the said Acts, and the several Powers, Penalties, Provisions,
 Enactments, and Clauses in the same Acts relating thereto, shall
 be applied *mutatis mutandis* to His Majesty and the Emperor of
Brazil, and their respective Subjects; and that all Matters and
 Things done or to be done in pursuance thereof, so far as they
 are applicable to the said Convention between His Majesty and
 His Majesty the Emperor of *Brazil*, shall be deemed lawful, and
 authorized by this Act, in like Manner, Form, and Effect as if all
 the said several Treaties, Articles, Matters and Things, and
 all the said Powers, Penalties, Provisions, Enactments, and
 Clauses, were repeated and set forth *mutatis mutandis* in this Act;
 and that from and after the passing of this Act it shall not be
 lawful for any Person to commence, prosecute, or proceed in any
 Claim, Action, or Suit whatever, in the High Court of Admiralty
 or in any other Court, or before any Judges or Persons whom-
 soever, other than the several Mixed Courts of Justice ap-
 pointed under and by virtue of the said Convention between His
 Majesty and His Majesty the Emperor of *Brazil*, and the In-
 structions and Regulations therein mentioned or referred to,
 and this Act, for the Condemnation or Restitution of any Ship or
 Cargo or Slaves, or for any Compensation or Indemnification for
 any Loss or Damage or for any Injury sustained by such Ship,
 Cargo, or Slaves, or by any Person on board any such Ship, in con-
 sequence of any Capture, Seizure, or Detention under the
 Authority or in pursuance of the Provisions of the said last-men-
 tioned Convention, or of the Instructions and Regulations therein
 mentioned or referred to, or of this Act; and that the Pendency of
 any Claim, Suit, or Proceeding instituted or which may be insti-
 tuted before any of the said Mixed Courts so to be appointed un-
 der the Authority of the said last-mentioned Convention, and the
 Instructions and Regulations therein mentioned or referred to,
 and this Act, for the Condemnation or Restitution of any Ship or
 Cargo or Slaves, taken, seized, or detained by virtue of the said
 last-mentioned Convention, or of the Instructions and Regulations
 therein mentioned or referred to, or for any Compensation or In-
 demnification for any Loss or Damage in consequence of the tak-
 ing, seizing, or detaining any such Ship, or the final Adjudication,
 Condemnation, Judgment, or Determination of any such Mixed
 Court, as the Case shall require, may be pleaded in Bar or given
 in Evidence under the General Issue; or in case no such Claim,
 Suit, or Proceeding shall have been instituted before any such
 Mixed Court, then the said last-mentioned Convention, and the

Powers, &c. of
 recited Acts
 shall apply to
 the Convention
 between His
 Majesty and the
 Emperor of
 Brazil.

No Claims or
 Suits for Ships
 captured, &c.
 to be brought,
 except before
 Mixed Courts
 appointed pur-
 suant to Con-
 vention.

Instruc-

Instructions and Regulations therein mentioned or referred to in this Act, may in like Manner be pleaded in Bar or given in Evidence under the General Issue; and every such Plea in Bar or Evidence so given under the General Issue shall be deemed and adjudged to be a good and complete Bar to any such Claim, Action, Suit, or Proceeding in the said High Court of Admiralty, or in any Court or Place other than such Mixed Courts; any thing in any Act or Acts, or Law or Laws, to the contrary in anywise notwithstanding.

C A P. LXXV.

An Act to appoint Commissioners for carrying into Execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in *Great Britain*, and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions, in *England*. [23d June 1827.]

35 G. 3. c. 5.

7 & 8 G. 4 c. 7.

Commissioners
appointed.

‘ WHEREAS an Act was passed in the Thirty eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight*: And Whereas by another Act passed in the said Thirty eighth Year of His said late Majesty’s Reign, for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money charged in *Great Britain* under the said first-recited Act, it is among other Things provided, that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit, any Salaries, Gratuities, Bounty Monies, Rewards, Fees, Profits, Perquisites, Advantages, Pensions, Annuities, Stipends, or yearly Payments in the said Act mentioned, should, after the Twenty fifth Day of *March* One thousand seven hundred and ninety nine, be ascertained, raised, levied, collected, and paid according to the Directions of any Act or Acts to be passed for that Purpose: And Whereas the Sums of Money and Duties last mentioned have been from time to time continued by divers Acts of Parliament; and under and by virtue of an Act passed in this present Session of Parliament, intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions, in England, and also certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and twenty seven*, the said Sums of Money and Duties are in force until the Twenty fifth Day of *March* One thousand eight hundred and twenty eight: And Whereas it is expedient that Commissioners should be appointed for carrying the said several Acts into Execution: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, all Persons who shall act as Justices of the Peace for any County, Shire,

Shire, Riding, Division, or District within *England* and *Wales*, and also the several and respective Persons hereinafter specially mentioned, named, and designated, all such Justices of the Peace and other Persons being respectively duly qualified to act as Commissioners of the Land Tax in Manner hereinafter directed, shall be and are hereby declared to be Commissioners within their respective Counties, Shires, Ridings, Divisions, and Districts, for putting into Execution the said recited Act passed in this present Session of Parliament, and any Act which shall or may be passed in any Session of Parliament after the passing of this Act, for continuing the Duties on Personal Estates, Offices, and Pensions in *England*, and also for putting in Execution such of the Powers, Provisions, Clauses, Matters, and Things contained in the said first hereinbefore recited Act of the Thirty-eighth Year of the Reign of His late Majesty as are continued for ever by the said second hereinbefore recited Act made in the same Year, in and for the several Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns, and Places respectively in *England* and *Wales* hereinafter mentioned, and within and for the Town of *Berwick-upon-Tweed*; (that is to say),

[*Here follow the Names of the Commissioners for England and Wales.*]

II. And be it further enacted, That all Persons who shall act as Justices of the Peace for any County, Shire, or Stewartry in *Scotland*, and also the several and respective Persons hereinafter specially mentioned, named, and designated, all such Justices of the Peace and other Persons being respectively duly qualified to act as Commissioners of the Land Tax within their respective Counties, Shires, or Stewartries, shall be and they are hereby declared to be Commissioners for putting into Execution such of the Powers, Provisions, Clauses, Matters, and Things of the said first hereinbefore recited Act, made in the Thirty eighth Year of the Reign of His said late Majesty, as are continued for ever by the said second hereinbefore recited Act of the same Year, in and for the several Shires, Stewartries, and Places respectively, in *Scotland*, hereinafter mentioned; (that is to say),

Commissioners
appointed for
Scotland.

[*Here follow the Names of the Commissioners for Scotland.*]

III. Provided also, and be it enacted, That the several and respective Justices of Peace, and other Persons, hereby appointed Commissioners, shall have such and the same Qualifications as are required by the said first hereinbefore recited Act made in the Thirty-eighth Year of the Reign of His said late Majesty, and also by an Act made in the same Session of Parliament, for altering and amending so much of the said first hereinbefore recited Act as relates to the Qualification of Commissioners; and shall be subject to the same Penalties and Forfeitures as are contained in the said recited Acts respectively.

Qualifications
to be the same
as required by
recited Acts of
38 G. 3.

IV. Provided also, and be it enacted, That any Sheriff Depute or Sheriff Substitute for the Time being of any County or Stewartry in *Scotland*, who is or shall be named or appointed to be a Commissioner for the Execution of the said Acts, shall be capable of acting as a Commissioner for such County or Stewartry; any thing

Proviso as to
Sheriffs Depute
or Substitute in
Scotland.

Mistakes in
Names not to
vitiate Ap-
pointments.

No Person who
has been In-
spector or Sur-
veyor of Taxes
to act.

Persons in
Cities, &c.
having Quali-
fication may
act as Com-
missioners.

thing in this Act, or in any of the said recited Acts, to the contrary in anywise notwithstanding.

V. Provided always, and be it enacted, That no Mistake in the Spelling of the Christian Name or Surname of any Person, or the Name of any Place mentioned in this Act, shall be construed to vitiate the Appointment of any such Person to be a Commissioner, so that the Person or Place mentioned be designated therein to common Intent and Understanding, nor to subject any Person so designated to any Pain, Penalty, or Forfeiture for his acting in the Execution of the Acts herein mentioned.

VI. Provided also, and be it enacted, That no Person who shall have held the Office of Inspector or Surveyor of Assessed Taxes shall, from and after the passing of this Act, be capable of acting as such Commissioner, although such Person may be named in this Act as such Commissioner.

VII. Provided also, and be it further enacted, That where in any City, Liberty, or Place, the Qualification of a Commissioner to act therein shall consist of Personal Estate, it shall be lawful for any Person having a Personal Estate of the Value required by the said Acts, or either of them, to act as such Commissioner in all Cases where such Person shall have been taxed, and shall have paid for such Personal Estate, by and upon the last Assessment then made for such City, Liberty, or Place, by virtue of any Act for continuing and granting to His Majesty a Duty on Personal Estates, Offices, and Pensions in *England*, passed before the making of such Assessment; any thing in any such Act, or in this Act, or in the hereinbefore recited Acts, or either of them, contained to the contrary notwithstanding.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N.B. — *The Continuance of such of the following Acts as are Temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) *For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.*
- (b) *For 21 Years, &c. from the passing of the Act.*
- (c) *For 21 Years, &c. after the End of the Term under former Acts.*

The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following:

“ And be it further enacted, That this Act shall be deemed
“ and taken to be a Public Act, and shall be judicially taken
“ notice of as such by all Judges, Justices, and others, with-
“ out being specially pleaded.”

Cap. i.

An Act for building a Church or Chapel of Ease within the Township of Oulton-cum-Woodlesford, in the Parish of Rothwell, in the West Riding of the County of York. [21st March 1827.]

[*Townships within the Parish of Rothwell not to be liable to the Repairs of the Church, § 25. Saving the Rights of the Vicar of Rothwell, and of the King, and all other Persons, &c. § 26, 27.*]

Cap. ii.

An Act to enable the Company of Proprietors of the Birmingham and Liverpool Junction Canal Navigation to alter the Line of the said Navigation, and to make certain Branches therefrom, in the Counties of Stafford and Salop. [21st March 1827.]

[*Powers, &c. of 7 G. 4. c. xcv. extended to this Act.*]

Cap. iii.

An Act for enabling the Company of Proprietors of the Nantille Railway to raise a further Sum of Money for completing the said Railway and other Works. [21st March 1827.]

[*See 6 G. 4. c. lxiii.*]

Cap. iv.

An Act for making and maintaining a Turnpike Road from *Temple Normanton*, in the Parish of *Chesterfield*, to the *Mansfield* and *Tibshelf* Turnpike Road, at or near *Tibshelf* Side Gate, in the County of *Derby*. (b) [21st March 1827.]

Cap. v.

An Act for making and maintaining a Road from *Chappel's Corner*, in the Parish of *Ashcott*, to join the *Bristol* Turnpike Road at or near *Rowberrow Hill*, all in the County of *Somerset*. (b) [21st March 1827.]

Cap. vi.

An Act for making and maintaining a Turnpike Road from *Godley Lane Head*, near *Halifax*, to *Northowram Green*, in the West Riding of the County of *York*. (b) [21st March 1827.]
[5 G. 4. c. cvi. repealed.]

Cap. vii.

An Act for more effectually repairing and improving the Roads from the North-west Parts of the County of *Lincoln*, through *Nettleham Fields*, *Wragby Lane*, and *Baumber Fields*, to the North-east Part of the said County, and other Roads therein described in the said County, and in the City of *Lincoln*. (b) [21st March 1827.]

[46 G. 3. c. lxx. repealed.]

Cap. viii.

An Act for more effectually repairing, widening, and improving the Road from *Cosham* in the County of *Southampton* to the City of *Chichester*. (a) [21st March 1827.]

[46 G. 3. c. xlv. repealed.]

Cap. ix.

An Act for more effectually repairing and maintaining the Road from *Hulme* across the River *Irwell*, through *Salford* to *Eccles*, in the County Palatine of *Lancaster*, and a Branch of Road communicating therewith. (a) [21st March 1827.]

[46 G. 3. c. ii. repealed.]

Cap. x.

An Act for enabling the Justices of the Peace for the County of *Essex* to raise Money for defraying certain Expences incurred under an Act, passed in the First Year of the Reign of His present Majesty, intituled *An Act for building an additional Gaol for the County of Essex, and for enlarging, improving, and altering the existing Prisons for the same County*; and for amending the said Act, and for extending the Powers thereof, and for other Purposes relating thereto. [2d April 1827.]

[See 4 G. 4. c. 64. Powers of 1 & 2 G. 4. c. cii. as to Purchase of Houses, &c. to extend to this Act. This Act not to affect the Powers of 4 G. 4. c. 64. or 1 & 2 G. 4. c. cii., except so far as may be necessary for this Act.]

Cap. xi.

An Act to authorize the Company of Proprietors of the *Canterbury and Whitstable* Railway to vary the Line of the Railway, to raise a further Sum of Money for completing their Works, and to alter and enlarge the Powers of the Act passed for making and maintaining the said Railway. [2d April 1827.]

[See 6 G. 4. c.cxx.]

Cap. xii.

An Act for more effectually repairing several Roads in and through His Majesty's Forest of *Dean*, and the Waste Lands thereto belonging, in the County of *Gloucester*, and in the Parishes of *Newland*, *Awre*, and *Lydney*, in the said County; and for making and maintaining several new Roads in and adjoining the said Forest. (a) [2d April 1827.]

[36 G. 3. c.131. and 57 G. 3. c.lxvi. repealed. Tolls not to be mortgaged without Consent of the Lords of the Treasury, § 32; and Timber Trees not to be cut without Consent of the Commissioners of Woods and Forests, § 37. Minerals reserved to former Owners of the Land, § 38.]

Cap. xiii.

An Act for more effectually repairing and maintaining the Road from *Foxley Hatch* in the Parish of *Croydon* into the Town of *Reigate* in the County of *Surrey*. (b) [2d April 1827.]

[47 G. 3. Sess.1. c. xxv. repealed.]

Cap. xiv.

An Act for more effectually improving and keeping in repair the several Roads leading to and from the Town of *Barnstaple* in the County of *Devon*; and for making certain new Lines of Road to communicate with the same. (a) [2d April 1827.]

[3 G. 3. c.35. 24 G. 3. Sess. 1. c.31. 46 G. 3. c. cxxxix. all repealed.]

Cap. xv.

An Act for more effectually repairing and improving the Roads from the *Buck's Head* at *Watling Street* to *Beckbury* and the *New Inn*, and from the *Birches Brook* to the *Hand Post* in the Parish of *Kemberton*; and for making a new Branch of Road from a Place called *Ball's Hill* in the Parish of *Dawley*, adjoining or near to the said Roads, to or near to a Place called *Lawley* in the Parish of *Wellington*; all in the County of *Salop*. (a)

[2d April 1827.]

[4 G. 3. c.81. 25 G. 3. c.101. 46 G. 3. c. viii. all repealed.]

Cap. xvi.

An Act for more effectually repairing the Roads from the City of *Gloucester* to the Top of *Birdlip Hill*, and from the Foot of the said Hill to the Top of *Crickley Hill*, in the County of *Gloucester*. (a) [2d April 1827.]

[46 G. 3. c.1. repealed.]

Cap. xvii.

An Act for repairing the Road from *Alford* to *Boston*, and from thence to *Cowbridge* in the Township of *Frithville*, in the County of *Lincoln*. (a) [2d April 1827.]

[5 G.3. c.96. 24 G.3. c.62. 46 G.3. c.30. all repealed. *Reservation of a Right of Way to the Inhabitants of Frith Bank*, § 20; also, to the Inhabitants of Well, § 21.]

Cap. xviii.

An Act for more effectually amending and widening the Roads from *Penryn* to *Redruth* in the County of *Cornwall*; and for building a Bridge over *Penryn* River. (b) [2d April 1827.]

[3 G.3. c.52. 25 G.3. c.114. 47 G.3. c. liii. all repealed.]

Cap. xix.

An Act for more effectually repairing and improving the Road from *Shillingford* in the County of *Oxford*, through *Wallingford* and *Pangborne*, to *Reading* in the County of *Berks*; and for repairing and maintaining a Bridge over the River *Thames* at or near *Shillingford Ferry*. (a) [2d April 1827.]

[4 G.3. c.42. 24 G.3. Sess. 1. c.22. 45 G.3. c. xxv. all repealed.]

Cap. xx.

7 G.4. c. xli. An Act to amend and enlarge the Powers and Provisions of an Act relating to the *Heckbridge* and *Wentbridge* Railway. [12th April 1827.]

Cap. xxi.

7 G.4. c. xlix. An Act for amending and enlarging the Powers and Provisions of an Act relating to the *Liverpool* and *Manchester* Railway. [12th April 1827.]

[Powers of 7 G.4. c. xlix. extended to this Act, except as herein repealed.]

Cap. xxii.

An Act to remove Doubts as to the Validity of Life Annuities granted or purchased by the *Sun Fire Office Company*. [12th April 1827.]

[See 54 G.3. c. ix. also 53 G.3. c. 141. 3 G.4. c. 92. 7 G.4. c. 75.]

Cap. xxiii.

An Act for providing a further Maintenance for the Rector of the Parish of *Saint John Horslydown*, within the Town and Borough of *Southwark*, in the County of *Surrey*.

[12th April 1827.]

[So much of 6 G.2. c. 11. as relates to the Annuity of 60*l.* to the Rector, repealed, § 1. Churchwardens to pay to the Rector 189*l.* per Annum out of the Monies to be raised under this Act, § 2. Stipend of 60*l.* Tithes, &c. to cease on the 24th Day of June next, § 3. Such further Provision to the Rector to be in lieu of the Sum of 60*l.* and all Tithes, Easter Offerings, &c. except Surplice Fees, &c. § 9.]

Cap. xxiv.

An Act to enable the *Birmingham Coal Company* to sue and be sued in the Name of their Secretary, or One of the Members of the said Company. [12th April 1827.]

Cap. xxv.

An Act for more effectually repairing and maintaining the Road from *Chapel-en-le-Frith* to or near to *Enterclough Bridge* in the County of *Derby*, and other Roads therein mentioned, in the said County of *Derby* and in the County Palatine of *Chester*. (a) [12th April 1827.]

[32 G. 3. c. 128. 47 G. 3. Sess. 1. c. viii. both repealed.]

Cap. xxvi.

An Act for repairing the Roads from *Warwick* to *Paddle Brook* in the Parish of *Stretton-on-the-Fosse*, and from *Warwick* to *Stratford-upon-Avon*, in the Counties of *Warwick* and *Worcester*. (a) [12th April 1827.]

[20 G. 3. c. 71. 46 G. 3. c. xlvii. both repealed.]

Cap. xxvii.

An Act for more effectually repairing and otherwise improving the Road from the East End of *Chapel Bar* in *Nottingham* to the New China Works near *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, all in the Counties of *Nottingham* and *Derby*. (b) [12th April 1827.]

[32 G. 2. c. 53. 20 G. 3. c. 73. 39 G. 3. c. xii. 59 G. 3. c. vi. all repealed.]

Cap. xxviii.

An Act for more effectually amending, widening, and maintaining the Roads from the Town of *Bury*, through *Haslingden*, to *Blackburn* and *Whalley*, and also from *Portfield* to *Padiham*, and for making, repairing, and improving other Roads to communicate therewith, all in the County Palatine of *Lancaster*. (a) [12th April 1827.]

[29 G. 3. c. 107. 35 G. 3. c. 144. 50 G. 3. c. xii. all repealed.]

Cap. xxix.

An Act to alter and amend an Act of the Tenth Year of Queen Anne, intituled *An Act for erecting a Workhouse in the City and County of the City of Norwich, for the better Employment and maintaining of the Poor there*. [28th May 1827.]

Powers, &c. of 10 Anne, c. 6. and 42 G. 3. c. lvii. extended to this Act, except as hereby altered, § 1. Provision of 10 Anne, c. 6. as to Appointment of Guardians of the Poor, repealed, § 2. Appointment of new Guardians, § 3. Personal Estates not to be rated, § 14.]

Cap. xxx.

An Act to amend and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His present Majesty, for the rebuilding of *London Bridge*, and for improving and making suitable Approaches thereto. [28th May 1827.]

4 G. 4. c. 50.

7 G. 4. c. 40.

‘ WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty, King *George the Fourth*, intituled *An Act for the rebuilding of London Bridge, and for improving and making suitable Approaches thereto*: And Whereas an Act was passed in the Seventh Year of the Reign of His said present Majesty, intituled *An Act to authorize the Lords Commissioners of His Majesty's Treasury to advance Money out of the Consolidated Fund towards the Expences of rebuilding London Bridge*: And Whereas a Doubt hath been entertained whether the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, are empowered by the said first-recited Act to take and use, for the Purposes of the same Act, a Piece of Ground situate between the River *Thames* and Fishmongers Hall, of which the Wardens and Commonalty of the Mystery of Fishmongers of the City of *London* claim to be the Owners: And Whereas it may be considered necessary to purchase and take Part of the said Piece of Ground, and Part of the Site of Fishmongers Hall aforesaid, and of a Messuage or Tenement, Number 115 in *Upper Thames Street*, adjoining thereto, for the Purposes of the said first in part recited Act; and it is expedient that the Money to be paid in Satisfaction or as a Recompense for the Value thereof should be applied towards rebuilding the said Hall; and it is also expedient that the Powers of the said first-recited Act should be amended and enlarged: And Whereas by the said first in part recited Act it is enacted, that no Hackney Coach or other Carriage licensed to ply for Hire shall stand for Hire on the said intended Bridge, or within One hundred Feet from either End thereof: And Whereas great Obstructions are occasioned in *Gracechurch Street* and *Fish Street Hill*, the principal Avenue to the present and to the said intended Bridge, by Hackney Coaches and other Carriages and Stage Coaches standing and plying for Hire; and it is desirable that the Court of Mayor and Aldermen of the said City should be empowered to make proper Regulations for the better Government of Hackney Coaches and other Carriages and Stage Coaches in the said Streets, and the Drivers or other Persons having the Management thereof; May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Directions, Provisions, Penalties, Forfeitures, Regulations, Clauses, Matters, and Things contained in the hereinbefore recited Acts (except such of them or such Parts thereof respectively as are repealed, altered, or otherwise provided for), shall extend and be construed to extend to this present Act, and shall operate and be in force in respect to the Purposes thereof, as fully and effectually, to all Intents and Purposes

Powers of former Acts extended to this Act.

Purposes whatsoever, as if the same Powers, Authorities, Directions, Provisions, Penalties, Forfeitures, Clauses, Matters, and Things were herein repeated and adapted to the Purposes of this Act.

II. And be it further enacted, That if there shall be any Money to be paid for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, taken or purchased by virtue of the Powers of the said recited Acts or this Act, which shall belong to any Body Politic, Corporate, or Collegiate, or any Lunatic, Idiot, Feme Covert, or Cestuique Trust, or to any Body or Bodies, Person or Persons under any Disability or Incapacity whatsoever, or shall be limited in strict or other Settlement, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the said Mayor and Commonalty and Citizens of the City of *London*, Trustees of *London Bridge*; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Wharfs, Warehouses, Houses, Buildings, Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Wharfs, Warehouses, Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, and Hereditaments, or Part or Parts thereof, Shares, Estates, Interests, or Charges, which shall be so taken or purchased as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall

Application of
Compensation
when amount-
ing to 200*l*.

from time to time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application where the Compensation shall be less than 20*l*. and amount to 20*l*.

III. Provided always, and be it enacted, That if there shall be any Money to be paid for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, taken or purchased as aforesaid, belonging to any Corporation, or any Person or Persons under any Disability or Incapacity as aforesaid, or which shall be limited in strict or other Settlement, which shall be less than the Sum of Two hundred Pounds, and which shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Parts, Shares, Estates, Interests, or Charges so taken or purchased, or of the Guardian or Guardians, Committee or Committees of such Person or Persons, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid in the Name and with the Privy of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Body or Bodies, Person or Persons, making such Option, and be approved of by the said Lord Mayor for the Time being (such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Persons), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Exchequer.

Application where the Money is less than 20*l*.

IV. Provided also, and be it enacted, That where such Money so to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, and Charges, taken or purchased as aforesaid, in such Manner as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or Persons entitled not being found.

V. And be it further enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be awarded for the Purchase of any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or any Parts, Shares, Estates, or Interests therein, or Charge thereon, to be

be taken or purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or to execute a proper Conveyance or proper Conveyances of the same Premises, or shall not be able to make a good Title to the same, to the Satisfaction of the said Mayor, Aldermen, and Commons, in Common Council assembled; or in case such Person or Persons to whom such Sum and Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered; then and in every such Case it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties interested in the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges (describing such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments), or if such Party or Parties shall not be known, then to the Credit of the then unknown Person or Persons interested in the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, (describing the same Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments), subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court of Exchequer, on the Application of any Body or Bodies, Person or Persons, making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Body or Bodies, Person or Persons, making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

VI. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, in pursuance of the said recited Acts or this Act, for the Purchase of or in satisfaction for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments,

Persons in Possession presumptively entitled.

to be taken or purchased in pursuance of the said recited Acts or this Act, or of any Bank Annuities to be purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in the Possession of such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

Court of Exchequer may order Expences of Purchases to be paid.

VII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, or other Person or Persons entitled to any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be taken or purchased under the Authority of the said recited Acts or this Act, the Purchase or Compensation Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts or this Act, it shall be lawful for the said Court of Exchequer to order the Expences of all Purchases from time to time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Mayor, Aldermen, and Commons, out of the Monies to be applied for the Purposes of the said recited Acts or this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Purchase Money for Estates comprised in the first Act may be paid into the Court of Chancery or Exchequer.

VIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to require any Purchase or Compensation Money for any Wharfs, Warehouses, Houses, Buildings, Lands, Tenements, or Hereditaments described in the Schedule to the said first in part recited Act, or for any Part or Parts, Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be taken or purchased under the Authority of the said Act, to be paid in the Name and with the Privy of the Accountant General of the Court of Exchequer, but the same shall and may be paid either in the Name and with the

the Privy of the Accountant General of the High Court of Chancery, according to the Directions contained in the said first in part recited Act, or in the Name and with the Privy of the said Accountant General of the Court of Exchequer, according to the Directions hereinbefore contained, as the said Mayor, Aldermen, and Commons, in Common Council assembled, may think proper and direct.

IX. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, if they shall think proper, to stop up and inclose, take and use, for such Time or Times as they shall think necessary for the Purpose of making and erecting the said intended Bridge, all or any Part of a Piece of Ground bounded on the South by the River *Thames*, and North by Fishmongers Hall, on the East by Premises late in the Occupation of *Marmaduke Thompson*, and on the West by Premises in the Occupation of *John Garratt Esquire*, One of the Aldermen of the City of *London*, without any Notice to or previous Agreement with the Owner or Owners thereof, and to break up the Soil, drive Piles into, and use and alter the same, making the like Satisfaction for the Use thereof, and for any Damage to be done thereby, and in the like Manner as is required by the said first-recited Act to be made for any Damage to be done to Wharfs, Grounds, and Hereditaments thereby authorized to be used for landing and working Materials.

Corporation empowered to inclose the Ground between the River and Fishmongers Hall.

X. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, and they are hereby empowered to take and use, or cause to be taken and used, for the Purposes of the said first in part recited Act and this Act, Part of the said Piece of Ground, and Part of the Site of Fishmongers Hall, and of the said Messuage or Tenement connected therewith, extending from North to South from the North-east Corner in *Thames Street* to the River *Thames*, and of the Width of Twenty Feet from East to West, and pull down and remove such Part of the said Hall and Messuage or Tenement which it may be deemed necessary or expedient to take, use, or pull down and remove for the Purposes of the said first in part recited Act and this Act, in the same Manner, to all Intents and Purposes (except with respect to the Notice to be given as hereinafter is provided, and the Payment of the Money to be paid for the same), as if the same Premises had been mentioned in the said Schedule to the said first in part recited Act annexed.

Corporation empowered to take Part of the Site of Fishmongers Hall, &c.

XI. And be it further enacted, that the Body or Bodies Politic, Corporate, or Collegiate, or Person or Persons, in the actual Occupation of such Part of Fishmongers Hall aforesaid, or any Buildings thereto belonging, or adjoining or connected therewith, the Site whereof is hereinbefore authorized to be taken, as shall be required for the Purposes of the said first-recited Act and this Act, shall, at the Expiration of Two Calendar Months next after Notice in Writing from the said Mayor, Aldermen, and Commons, in Common Council assembled, or their Agent duly authorized, shall have been left at or affixed upon the same Premises, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Mayor, Aldermen, and Commons, in Common Council assembled,

Occupiers to give up Possession on Two Months' Notice.

or

or the Person or Persons authorized by them to take Possession thereof; and that in case any such Body or Bodies, Person or Persons, shall refuse to give up such Possession as aforesaid, then it shall be lawful for the Court of Mayor and Aldermen of the said City to issue their Precept or Precepts to the Sheriffs of the said City of *London* to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriffs are hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing of such Precept or Precepts on the Body or Person or Persons refusing to give up such Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Purchase Money may be applied in rebuilding the said Hall.

XII. Provided always, and be it further enacted, That it shall and may be lawful to apply the Whole or any Part of the Monies to be paid for the Purchase of the said Piece of Ground, and Part of the Site of the said Building called Fishmongers Hall, and the Messuage or Tenement adjoining thereto and connected therewith, in or towards the rebuilding of the Hall of the said Company.

For preventing the Necessity of the Presence of the Lord Mayor and Aldermen at Southwark Sessions.

XIII. And be it further enacted, That all such Proceedings, Powers, Authorities, Verdicts, Acts, Deeds, Matters, and Things, as are by the said first-recited Act directed or required to be made, done, or executed before or by the said Mayor and Aldermen at any General or any Special Sessions of the Peace for the Borough of *Southwark*, may be made, done, and executed before or by the same Justices, and in the same Manner, as any other Proceedings, Judgments, Deeds, or Things may by Law be made, done, or executed at any General or Special Sessions.

Jury may view the Premises before they are sworn.

XIV. And be it further enacted, That any Jury, or any Three or more of them, may be authorized to view any Place or Places or Premises in question, in pursuance of the said first-recited Act or this Act, either before or after an Oath shall have been administered to them in pursuance of the Direction in the said first-recited Act for that Purpose contained.

Costs payable by the Corporation to be taxed.

XV. And be it further enacted, That the Costs, Charges, and Expences of causing and procuring any Recompense, Value, or Compensation to be assessed and awarded in pursuance of the said first-recited Act or this Act, and of assessing and awarding the same, shall be taxed by the Registrar or other proper Officer for the Time being of the said Court of Mayor and Aldermen, or of the said Sessions, as well where the same are required to be borne or paid by the said Mayor, Aldermen, and Commons, in Common Council assembled, as where the same are required to be borne and paid by the Body or Bodies, or Person or Persons, entitled to or claiming such Value, Recompense, and Compensation.

If Costs are not taxed, Possession may be taken without paying them.

XVI. And be it further enacted, That in case the Body or Bodies, or the Person or Persons, entitled to any Costs, Charges, or Expences which shall be payable by the said Mayor, Aldermen, and Commons, in Common Council assembled, in consequence of any Verdict in pursuance of the said first-recited Act or this Act, shall not deliver or send an Account of such Costs, Charges, or Expences within Ten Days after Notice in Writing, signed by the Comptroller of the Bridge House Estates of the said City, shall have

have been given to them, him, or her, or left on the Premises in respect of which the same shall be payable, or shall not attend personally, or by a proper Officer or Attorney, to have the same taxed, upon Notice in Writing, signed by the said Comptroller, being given or left as aforesaid Three Days before the Time to be therein mentioned for such Taxation, then it shall be lawful, on Payment or Tender of the Sum of Money, Recompense, or Satisfaction awarded by such Verdict, to the Party or Parties entitled to the same, or into the Bank of *England*, according to the Directions contained in the said first-recited Act, for the said Mayor, Aldermen, and Commons, in Common Council assembled, or any Person or Persons authorized by them, to take Possession of or pull down the Hereditaments comprised in or affected by such Verdict, without paying or tendering the Amount of the said Costs, Charges, or Expences, or any Sum of Money in respect thereof; and the Amount of such Costs, Charges, or Expences, when the same shall have been duly taxed, may afterwards be recovered in an Action or Actions against the Mayor and Commonalty and Citizens of the said City of *London*, and shall be paid out of the Monies raised or authorized to be applied by virtue of the said first-recited Act and this Act.

XVII. And be it further enacted, That so much of the said first in part recited Act as prevents the Burial Ground of the Parish of *St. Magnus*, therein mentioned, from being taken or used for the Purposes of the said Act, until such new Burial Ground as therein is directed to be provided shall have been conveyed and effectually secured, and procured to be consecrated and inclosed as therein is mentioned, and also so much of the same Act as directs the Remains of any Person or Persons deposited in any Grave or Graves, Vault or Vaults, in the said present Burial Ground, and the Grave Stones therein, from being removed to and interred or put and laid in such new Burial Ground, shall be and the same is hereby repealed.

Clauses in former Act, respecting Burial Ground of *St. Magnus*, repealed.

XVIII. And be it further enacted, That when and so soon as the said Mayor, Aldermen, and Commons, in Common Council assembled, shall have provided or secured to be provided such new Burial Ground as in the said Act is mentioned, to the Satisfaction of the Rector and Churchwardens of the said Parish, or the major Part of them, it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, to take and use the said present Burial Ground for the Purposes of the said first-recited Act and this Act, although such new Burial Ground may not have been conveyed and effectually secured, and consecrated and inclosed; and that any Remains of any Person or Persons so deposited as aforesaid, or Grave Stones, to be removed to and interred or put up and laid in the new Burial Ground, shall and may, with the Consent of the Rector and Churchwardens of the said Parish, or the major Part of them, be removed to and interred or put up and laid in the other present Burial Ground of the said Parish adjoining the Parish Church: Provided always, that the said Mayor, Aldermen, and Commons, in Common Council assembled, shall and they are hereby required, with all convenient Speed after the present Bridge shall be taken down, to provide a new Burial Ground, and cause the same to be conveyed and effectually secured,

Burial Ground of *St. Magnus* may be taken, although a new Burial Ground is not inclosed and consecrated.

secured, and consecrated and inclosed, as in the said Act is mentioned; and the Ground and Soil of the said present Burial Ground taken and used as aforesaid, or any Part thereof, shall not vest in the said Mayor and Commonalty and Citizens, by virtue of the said first in part recited Act, until such new Burial Ground shall have been so conveyed, secured, consecrated, and inclosed.

Surplus Rents
of Bridge
House Estates
to be applied in
building the
new Bridge.

XIX. And be it further enacted, That in the meantime, and until any Sum or Sums of Money shall be borrowed by virtue of the said first-recited Act, from any Person or Persons other than or besides the Lords Commissioners of His Majesty's Treasury, it shall be lawful for the said Mayor, Aldermen, and Commons, in Common Council assembled, if they shall think proper, to cause all or any Part of the Residue which shall from time to time remain, after answering the Purposes therein mentioned, of the yearly Sum of Twelve thousand Pounds, thereby directed to be set apart out of the Rents and Profits of the Bridge House Estates, and also the Residue and Surplus of the said Rents and Profits after Payment of the Interest and other Payments to be made in respect of the Monies borrowed and to be borrowed from the Lords Commissioners of His Majesty's Treasury, to be applied towards the Erection, building, and completing of the intended new Bridge, or other the Purposes of the said recited Acts and this Act, or any of them, instead of paying and applying the same in Discharge of any Sum or Sums of Money to be borrowed, or investing the same at Interest, or in the Purchase of Stock, as directed by the said first recited Act; any thing therein contained to the contrary in anywise notwithstanding.

Power to the
Court of
Aldermen to
make Regu-
lations respect-
ing Hackney
and Stage
Coaches in
Gracechurch
Street and Fish
Street Hill.

XX. And be it further enacted, That it shall be lawful for the said Court of Mayor and Aldermen from time to time to appoint proper Places in or near *Gracechurch Street* and *Fish Street Hill* aforesaid, where Hackney Coaches and other Carriages and Stage Coaches respectively may stand and ply for Hire, and make such Orders for regulating the Number of such Carriages to stand in such Places respectively, and the Distances at which they shall stand from each other, and the Times at and during which they may stand and ply for Hire, and such other Orders and Regulations for the better ordering and regulating the said Hackney Coaches and other Carriages and Stage Coaches in the said Streets, and the Drivers or other the Person or Persons having the Management thereof respectively, as to the said Court of Mayor and Aldermen shall seem proper, and from time to time to alter, amend, or repeal such Rules, Orders, and Regulations, and to make others in the room thereof; and the said Court of Mayor and Aldermen shall cause all the Rules, Orders, and Regulations to be made by them as aforesaid, and every Alteration, Amendment, or repeal thereof respectively, to be advertized in the *London Gazette*, and in Two or more Newspapers circulated in the said City of London, and a Copy thereof to be hung up for Public Inspection in the Town Clerk's Office at the Guildhall of the said City, before the same or any of them shall be carried into Effect, or be considered as repealed by the said Court of Mayor and Aldermen; and in case the Driver, or any Person or Persons having the Management of any Hackney Coach or other Carriage or Stage Coach, shall

shall permit the same to stand for Hire in the said Streets or either of them, in any Place which shall not be appointed as aforesaid by the said Court of Mayor and Aldermen, or at or for any other or any longer Time than shall be appointed as aforesaid, or shall in any other Manner offend against the Rules, Orders, and Regulations to be made by the said Court of Mayor and Aldermen by virtue of this Act, or any of them, the Person who shall so place the same, or if such Person shall not be known, the Owner of such Hackney Coach or other Carriage or Stage Coach shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Person or Persons to seize or to assist in seizing every such Hackney Coach or other Carriage or Stage Coach standing contrary to such Regulations, together with every Horse, Mare, Gelding, Mule, or Ass, drawing, belonging, or attached thereto, and to convey the same to the common Pound or Green Yard of the said City, there to be impounded and kept until the Owner or Owners thereof, or his or their known Servant or Servants, shall claim the same, and shall have paid the Charges of removing and keeping every such Hackney Coach or other Carriage or Stage Coach, and any Horse, Mare, Gelding, Mule, or Ass as aforesaid, and also the Penalty or Forfeiture to be inflicted upon any Person convicted of such Offence, and in case the same shall not be claimed, and the Charges, Penalty, or Forfeiture paid within the Space of Ten Days after such Seizure, it shall be lawful for any Alderman of the said City to cause the same, or a competent Part thereof, to be appraised and sold for Payment of the said Charges, and Penalty or Forfeiture, returning to such Owner or Owners, upon Demand, such Part or Parts thereof as shall not have been sold, together with the Surplus, if any, of the Monies arising by such Sale; and every such Penalty or Forfeiture for any Offence committed with or in respect of any Hackney Coach, Cabriolet, or other Hackney Carriage, may be levied and recovered by such Ways and Methods, and applied in such Manner as by the several Acts of Parliament in force respecting Hackney Coaches' Penalties for Offences are authorized to be levied, recovered, and applied; and every such Penalty and Forfeiture for any Offence committed with or in respect of any Stage Coach, may be levied and recovered in such Manner as by the said first in part recited Act the Penalties or Forfeitures thereby inflicted or authorized to be imposed are directed to be levied and recovered, and the same (after deducting such Part thereof (if any) as shall be adjudged to be paid for the Use of any Informer or Informers, or any Person or Persons taking, seizing, or assisting therein), shall be paid to the Chamberlain of the City of *London* for the Time being, to the Account of the Commissioners of Sewers of the said City of *London* and Liberties thereof for the Time being, to be applied for the general Purposes of the Acts of Parliament which the said Commissioners are and shall be appointed to carry into Execution.

XXI. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Cap. xxxi.

An Act for erecting a Bridge over the River *Bure*, from *Runham* to *Great Yarmouth*, in the County of *Norfolk*.

[28th May 1827.]

[*The Royal Family ; Mails and Expresses under the Authority of the Postmaster General ; Soldiers and Volunteers on March or Duty ; Cattle, &c. carrying their Arms or Baggage, or Public Stores ; Volunteer Cavalry going to or returning from Exercise ; Persons going to or returning from an Election of a Knight of the Shire for Norfolk, on the Days of Election, or on the Day before or the Day after ; Vagrants sent by Passes, Prisoners sent by Warrant, or Watermen, &c. employed in navigating or hauling any Vessel along the River Bure, going over the Bridge for the Purpose of changing or passing the Lines, or for any other Purpose connected with the Safety of the Vessel, exempted from Toll, § 10. The Bridge not to be a County Bridge, § 13.*]

Cap. xxxii.

32 G. 2. c. 62. An Act for explaining and amending Three Acts for building a Bridge across the River *Clyde*, from the City of *Glasgow* to the Village of *Gorbals* ; and for repairing, widening, and enlarging the Old Bridge across the said River, from the said City to the said Village ; and for other Purposes therein mentioned.

[28th May 1827.]

[32 G. 2. c. 62. 8 G. 3. c. 16. and 14 G. 3. c. 103. continued in force, except as altered by this Act, § 1. Power to appoint additional Trustees, § 2. Royal Family exempt from Tolls, § 25. Persons carrying Mails and Expresses under the Authority of the Postmaster General, except as they are specially liable by 53 G. 3. c. 68 ; Officers or Soldiers on their March or on Duty ; Horses conveying their Arms or Baggage, or sick, wounded, or disabled Officers or Soldiers, or public Stores, or Volunteer Infantry ; Yeomanry or Volunteer Cavalry or Infantry on Duty ; and Horses conveying Criminals or Vagrants sent by Warrants or legal Passes, also exempted from Tolls, § 26.]

Cap. xxxiii.

An Act to empower the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex* to purchase certain Premises situate at the Corner of *Sun Court* in *Curzon Street*, in the Parish of *Saint George Hanover Square*, in the said City and Liberty ; and for other Purposes relating thereto.

[28th May 1827.]

Cap. xxxiv.

An Act for more effectually enlarging and improving the Harbours of *Peterhead* in the County of *Aberdeen*.

[28th May 1827.]

[47 G. 3. Sess. 2. c. cx. repealed, § 1. Debts, Penalties, Contracts, Conveyances, &c. under that Act to remain in force, § 2. Trustees appointed, § 3. No Person to be a Burgess of *Peterhead*, except Persons entitled under the Charter of 1st June 1593, — § 8. Trustees

Trustees not to hold Offices of Emolument under this Act, nor to be concerned in Contracts, § 12. Trustees incorporated, § 18. Trustees may levy Rates and Duties from the Proprietors of all Goods, &c. imported into or exported from the Harbours, and may increase and lessen the same, § 24. Power reserved to His Majesty and Lords of the Treasury to reduce Duties on Foreign Ships and Goods, § 30. Trustees may levy Dock Duties and let the same on a Lease, § 31. Trustees to collect Rates during First Two Years after 1st July 1828; and thereafter to let the same by Roup, § 33. Exemption of Ships in the Service of His Majesty, &c. § 41. Tonnage Duty to be but once paid during the Voyage, § 42. Trustees empowered to license Pilots, Meters, and Weighers, and to regulate their Fares, Conduct, &c. § 66. Masters of Vessels entering or leaving Harbours to take Pilots, § 69. Bailies and Town Council may pay Sums from the Funds of the Community of Feuars towards the Purposes of this Act, § 70. Officers appointed by the Trustees to be competent Witnesses in Proceedings relative to this Act, § 104.]

Cap. xxxv.

An Act to continue and amend Four Acts for the Improvement of the Port and Harbour of *Drogheda*, in the County of the Town of *Drogheda*, and the Counties of *Louth* and *Meath*.

[28th May 1827.]

[*Powers of Acts of 30 G. 3. (I.) c. 39. 37 G. 3. (I.) c. 56. 48 G. 3. (U. K.) c. cvi. and 50 G. 3. (U. K.) c. x. extended to this Act, § 1. Provision in 30 G. 3. c. 39. authorizing Members of Parliament for Drogheda, Meath, and Louth, to be Commissioners, repealed, § 2. New Commissioners appointed, § 3. Commissioners empowered to borrow not exceeding 15,000*l.* on Security of the Rates, § 6. Vessels in His Majesty's Service, &c. exempt from Rates, § 16. Commissioners may license and dismiss Pilots, and fix Rates of Pilotage, § 26. Persons destroying the Works liable to Fine and Imprisonment, § 30.]*

Cap. xxxvi.

An Act to extend the Powers of an Act of His present Majesty, 8 G. 4. c. lxxvii. for supplying the Town of *Liverpool* in the County Palatine of *Lancaster* with Water, to *Harrington* and *Toxteth Park* in the said County.

[28th May 1827.]

[*Powers of 3 G. 4. c. lxxvii. extended to this Act, § 1. Name and Style of Company altered to "The Company of Proprietors of the Liverpool and Harrington Waterworks," § 2. The Company not to purchase more than Five Acres of Land from incapacitated Persons, § 16. Saving Rights of Devises of Duke of Bridgewater, § 47. And of the Corporation of Liverpool (except as repealed by this Act), and of all other Persons, &c. § 48.]*

Cap. xxxvii.

An Act for better regulating the Supply of Water in the Town of *Leek* in the County of *Stafford*.

[28th May 1827.]

[See 45 G. 3. c. xcvi. 6 G. 4. c. lxxi.]

Cap. xxxviii.

An Act for enabling the Company of Proprietors of the *Portsea Island Waterworks* to raise a further Sum of Money; and for other Purposes relating to the said Undertaking.

[28th May 1827.]

[Powers of 49 G. 3. c. cxviii. extended to this Act, § 1. Company to have Power to raise a further Sum of 8,000*l.* in Shares of 50*l.* each, § 2. Such Shares to stand on the same footing with original Shares, § 3. and to be Personal Estate, § 4. Saving of Rights of Corporation of Portsmouth except in Cases mentioned in this or the recited Act, § 29.]

Cap. xxxix.

7 G. 4. c. xxxv. An Act to explain, amend, and enlarge the Powers and Provisions of an Act made in the last Session of Parliament, intituled *An Act for lighting, watching, cleansing, and otherwise improving the Camberwell New Road, the Lambeth Wyke Estate, and other Places in the Vicinity thereof, in the Parishes of Lambeth, Camberwell, and Newington, in the County of Surrey.*

[28th May 1827.]

[Declaration, that the Whole of the Lambeth Wyke Estate, including that Part of it which fronts upon the Road leading from London to Croydon, was included in 7 G. 4. c. xxxv.— § 1. Road from Kennington Gate to Loughborough House placed under this Act, § 2. Saving the Rights of the Clapham Trust, § 7.]

Cap. xl.

38 G. 3. c. xv. An Act to amend an Act for enlarging the Powers of the Company of Merchants of the City of Edinburgh. [28th May 1827.]

[Entry Fee increased to 63*l.* — § 2. Fees payable by Persons entering into the Company Two Years after having commenced Business increased at the Rate of 3*l.* 3*s.* for each additional Year after such Persons have attained Twenty five, § 3. Widows' Fund to be established under certain Rules and Regulations, § 4. An Annuity of 25*l.* to be paid to Widows of Members, § 19. No Widow to draw more than One Annuity at One Time. Member marrying the Widow of a former Member, exempted from the Marriage Tax and Contributions during the Marriage, § 20. Members empowered to increase and diminish Widows' Annuities, § 21, 22. Annuities not to be assignable, nor attachable by Creditors, § 26. Contributors, being married, may declare the Annuity to be in Part of the Provision otherwise made for their Wives, § 27. Trustees to be chosen at a Meeting of Contributors. Master and Old Master, if Contributors, to be Trustees, § 28. Trustees may sue or be sued in the Name of the Collector, § 35. Trustees to be liable for their own Intrusions only, and to be reimbursed all necessary Expences, § 41. Power to Contributors to make Rules and Regulations for the Administration of the Fund, § 42.]

Cap. xli.

An Act for improving and supporting the Navigation of the River *Brue*, from the Mouth thereof, at its Junction with the River *Parrett*,

Parrett, to Cripps's House, and for making and constructing a Canal from thence to the Town of Glastonbury in the County of Somerset.
[28th May 1827.]

Cap. xlii.

An Act for making and maintaining a navigable Communication for Ships and other Vessels between the City of *Norwich* and the Sea, at or near *Lowestoft* in the County of *Suffolk*.

[28th May 1827.]

[*Saving Rights of the City of Norwich and Borough of Great Yarmouth, § 144. Company not to exhibit or alter Lights without the Sanction of the Trinity House, § 145. Saving of Rights of the Trinity House, § 146.*]

Cap. xliii.

An Act for forming a Carriage Road or Drive round the Park or Public Green of *Glasgow*; and for the better Regulation of the Fire Places and Chimnies of Steam Engines and other Works in the said City and Suburbs.

[28th May 1827.]

[See 54 G. 3. c. cxcviii.]

Cap. xliv.

An Act for more effectually improving *Golden Square*, in the Parish of *Saint James Westminster*, in the County of *Middlesex*.

[28th May 1827.]

[24 G. 2. c. 27. repealed. This Act not to affect Rights under that Act.]

Cap. xlv.

An Act for paving, gravelling, and otherwise improving certain Streets and Places on the East Side of *Kentish Town* in the Parish of *Saint Pancras* in the County of *Middlesex*.

[28th May 1827.]

Cap. xlv.

An Act for removing the Corn, Hay, and Cattle Markets of the Town of *Sheffield* in the West Riding of the County of *York*; for erecting a Corn Exchange, and improving the Market Places and regulating the Fairs and Markets of the said Town, and erecting a Bridge there over the River *Dun*. [28th May 1827.]

[24 G. 3. c. 5. repealed.]

Cap. xlvii.

An Act for improving the Drainage of Part of the South Level of the Fens within the Great Level commonly called *Bedford Level*, and the Navigation of the Rivers passing through the same, in the Counties of *Cambridge*, *Suffolk*, and *Norfolk*, and in the *Isle of Ely*.

[28th May 1827.]

[See 33 G. 2. c. 32. 47 G. 3. Sess. 2. c. 1. 47 G. 3. Sess. 2. c. lxxxiii. 4 G. 4. c. ciii. — 31 G. 2. c. 18. 29 G. 3. c. 22. 40 G. 3. c. xc. — 14 G. 2. c. 24. 37 G. 3. c. 88. 53 G. 3. c. lxxxi. — 7 G. 3. c. 53. 19 G. 3. c. 34. 59 G. 3. c. lxxviii. — 13 G. 1. c. 18. 37 G. 3. c. 96.]

Cap. xlviii.

An Act for maintaining and repairing the public Drains, Bridges, and Highways, on certain Extra-parochial Lands formerly called *Sinfin Moor*, in the County of Derby. [28th May 1827.]

[See 42 G.3. c.69. Pr.]

Cap. xlix.

An Act for dividing, inclosing, and exonerating from Tithes the Open and Common Fields, Meadows, Pastures, Fens, Ings, and Waste Lands in the Parish of *Washingborough* in the County of *Lincoln*, and Township of *Heighington* in the same Parish; and also for embanking, draining, and improving certain Lands within the same Parish and Township. [28th May 1827.]

[Allotments to be made to the Rector in lieu of Glebe Land employed in the making of Drains, &c. and for uninclosed Glebe Lands, Rights of Common, Great Tithes of the Open Lands, and for a Rate or Tax payable to the Witham Company and Proprietors, § 21, 23, 24, & 25. Corn Rent to be paid in lieu of Tithes on the ancient inclosed Lands, § 27. Allotments to Rector and Corn Rent to be in lieu of Great and Small Tithes, &c. § 32. Commissioners may with Rector's Consent compensate Corn Rents on Toststeads out of Allotments for the same, § 33. Persons not having Open Lands, to pay in Money for the Tithes, and may compensate out of their inclosed Lands, § 34. Corn Rents may be compensated for by an Allotment of Land in lieu thereof, § 35. Proprietors of the River Witham to pay Tithes as before, § 37. Allotments to Rector to be fenced at expence of other Proprietors, § 43. Rector may lease his Allotments for Twenty one Years, with Consent of Bishop and Patron, § 44. Power to Rector to borrow Money on Mortgage of Glebe Lands to defray his Proportion of the Expences of Drains, &c. § 69.]

Cap. l.

An Act for more effectually repairing and otherwise improving the Road from the North Side of *Cavendish Bridge*, in the County of *Derby*, to the Town of *Derby*, and from the said Town to the Guide Post on *Hulland Ward* in the same County. (b) [28th May 1827.]

[11 G.2. c.33. 17 G.2. c.20. 33 G.2. c.33. 17 G.3. c.101. and 46 G.3. c.xcviii. repealed, § 1. Carriages with Materials for draining exempt from Tolls, § 20. Leases of Tolls to be vacated on Fourteen Days' Notice, and Satisfaction to be made to Lessees; but Trustees and Lessees may agree to continue Leases, § 38.]

Cap. li.

An Act for amending, improving, and maintaining in Repair the Road between the Point at which the great Roads from the City of *Carlisle* to the Cities of *Edinburgh* and *Glasgow* respectively separate, and *Westlinton Bridge* in the County of *Cumberland*. (b) [28th May 1827.]

[46 G.3. c.liiii. repealed, § 1.]

Cap. lii.

An Act for more effectually repairing the Road from *Speenhamland* in the County of *Berks*, to *Marlborough* in the County of *Wilts*, so far as relates to the *Marlborough* District of the said Road. (a) [28th May 1827.]

[10 G. 3. c. 100. 33 G. 3. c. 138. 54 G. 3. c. ccx. and 56 G. 3. c. lxxx. repealed as to the *Marlborough* District.]

Cap. liii.

An Act for more effectually repairing and maintaining the Road from *Whitby* to *Middleton*, in the County of *York*. (a) [28th May 1827.]

[4 G. 3. c. 69. 25 G. 3. c. 111. and 47 G. 3. Sess. 2. c. xc. repealed.]

Cap. liv.

An Act for repairing the Road from *Dunchurch* to *Hillmorton* in the County of *Warwick*, and from thence to *Saint James's End* in the Parish of *Duston* in the County of *Northampton*. (a) [28th May 1827.]

[46 G. 3. c. lxix. repealed.]

Cap. lv.

An Act for making and maintaining a Road from *Hollinwood* to *Littleborough*, and other Roads communicating therewith, in the County of *Lancaster*. (a) [28th May 1827.]

[45 G. 3. c. vii. repealed.]

Cap. lvi.

An Act for repairing the Road from the *High Bridge* in *Spalding* to *Tydd Goat* in the County of *Lincoln*, and other Roads in the same County. (a) [28th May 1827.]

[4 G. 3. c. 53. 25 G. 3. c. 123. and 46 G. 3. c. li. repealed, § 1. *Leases of Tolls to cease on the First Rent Days after Commencement of Act*, § 20. *Compensation to Lessees, &c. may be recovered by Action if they and the Trustees cannot agree as to the Amount*, § 21.]

Cap. lvii.

An Act for more effectually amending and improving the Road from *Bawtry Bridge* in the County of *Nottingham* to *Hainton* in the County of *Lincoln*, and other Roads therein mentioned. (a) [28th May 1827.]

[5 G. 3. c. 85. 26 G. 3. c. 141. and 46 G. 3. c. xviii. repealed.]

Cap. lviii.

An Act for amending, repairing, and maintaining the Turnpike Road from *Rotherham* to *Swinton*, in the West Riding of the County of *York*. (b) [28th May 1827.]

[49 G. 3. c. v. repealed, § 1. *Horses, &c. drawing Carriages laden with Coal, &c. not to pass oftener than Twice without paying Toll*, § 15.]

Cap. lix.

An Act for repairing the Road from *Blackburn* in the County Palatine of *Lancaster* to *Addingham* and *Cocking End* in the West Riding of the County of *York*; and for making and maintaining a new Road from *Old Accrington* to the *Burnley* and *Rochdale* Turnpike Road in *Habergham Eaves* in the said County of *Lancaster*, and a Branch therefrom. (a)

[28th May 1827.]

[50 G.3. c. xxxvi. repealed, § 1. Tolls to be paid for Horses, &c. but Once a Day, unless passing a Fifth Time, § 20.]

Cap. lx.

An Act for continuing the Term and altering and enlarging the Powers of several Acts for repairing the Roads from the Stone Pillar on *Alconbury Hill* to *Wansford Bridge*, and from *Norman Cross* to *Peterborough Bridge*, all in the County of *Huntingdon*.

[28th May 1827.]

[38 G.3. c. xlviii. and 59 G.3. c. xxiv. repealed.]

Cap. lxi.

An Act for more effectually repairing the Roads leading from *Romsey* to *Stockbridge* and *Wallop*, and other Roads therein mentioned, in the County of *Southampton*. (b)

[28th May 1827.]

[4 G.3. c. 47. 25 G.3. c. 126. and 46 G.3. c. c. repealed. Horses drawing different Carriages to pay each Time of passing, § 16.]

Cap. lxii.

An Act for more effectually repairing and improving the Road from *Frodsham* to the South End of *Wilderspool Causeway*, within *Appleton*, in the County Palatine of *Chester*; and for making and maintaining a certain Extension or new Branch of Road to communicate therewith. (b)

[28th May 1827.]

[26 G.3. c. 139. and 47 G.3. Sess. 2. c. xvii. repealed. Horses, &c. for which Tolls have been paid to repass Once only Toll-free, § 22. Horses, &c. conveying Milk to pay only Once a Day, § 24.]

Cap. lxiii.

An Act for more effectually repairing the Road from *Rochdale* through *Bamford* and *Birtle* to *Bury*, and several other Roads therein mentioned, all in the County Palatine of *Lancaster*. (a)

[28th May 1827.]

[See 37 G.3. c. 145. — 47 G.3. Sess. 2. c. li. repealed.]

Cap. lxiv.

An Act for more effectually repairing and improving the Road from *Standedge* in *Saddleworth* in the County of *York*, to *Oldham* in the County of *Lancaster*, and other Roads in the said County of *York*, and for making and maintaining Two new Branches to communicate therewith. (b)

[28th May 1827.]

[32 G.3. c. 139. and 54 G.3. c. lvi. repealed. Horses, &c. to repass once Toll-free, but to pay Six full Tolls only in One Day, § 17.]

Cap. lxxv.

An Act for more effectually repairing the Road leading from the Town of *Kilkullen*, in the County of *Kildare*, to the Town of *Carlow*. [28th May 1827.]

[See 46 G. 3. c. ci.]

Cap. lxxvi.

An Act for repairing and improving the Road from *Dublin*, by *Ashbourne*, to *Slane* and *Drogheda*. (b) [28th May 1827.]

[See 56 G. 3. c. lxxxvi. Trustees may erect Weigh Houses, and charge Toll by Weight, § 30. Horses of Soldiers on March or Duty, or carrying their Arms, or Baggage, or Public Stores; Horses drawing or belonging to any Corps of Yeomanry Cavalry, or conveying Volunteer Infantry on the Days of Service, or used by any Constable or Policeman, or any Magistrate accompanying him; Carts employed in drawing Materials for the Road, exempt from Toll, § 40.]

Cap. lxxvii.

An Act for repairing the Road from *Barton Waterside House* to *Riseham Hedge Corner*, and other Roads in the County of *Lincoln*, connected therewith. (b) [28th May 1827.]

[5 G. 3. c. 88. 26 G. 3. c. 146. and 48 G. 3. c. xxiv. repealed. Manure to pay Toll for Overweight, § 18.]

Cap. lxxviii.

An Act for more effectually repairing and otherwise improving the Road from the End of *Ardwick Green* near *Manchester*, in the County Palatine of *Lancaster*, to *Hyde Lane Bridge*, in the County Palatine of *Chester*. [28th May 1827.]

[58 G. 3. c. vi. repealed. Toll to be paid only Once for passing and repassing, § 23.]

Cap. lxxix.

An Act for repairing the Road leading from *Ealand* to the Town of *Leeds*, in the West Riding of the County of *York*. (b) [28th May 1827.]

[14 G. 2. c. 25. 26 G. 2. c. 61. 17 G. 3. c. 87. and 35 G. 3. c. 159. repealed. Half Tolls to be paid for Manure in the Winter Season, § 18.]

Cap. lxxx.

An Act for more effectually making, amending, and improving the Road from *Buck Stones* to *Barkisland School*, at the Highway leading from *Ripponden* to *Stainland*; and for making and maintaining an Extension of the said Road to join the *Halifax* and *Huddersfield* Turnpike Road, at the South End of *Elland Bridge*, and a Branch therefrom, all in the West Riding of the County of *York*. (b) [28th May 1827.]

[6 G. 4. c. cii. repealed, so far as relates to *Barkisland* and *Saddleworth* District, § 1.]

Cap. lxxi.

An Act for making and maintaining a Road from the Town of *Northampton*, in the County of *Northampton*, to *Cold Brayfield*, in the County of *Buckingham*. (b) [28th May 1827.]

[Two full Tolls only to be paid in One Day, § 14.]

Cap. lxxii.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from *Barnsdale* through *Pontefract*, to *Thwaite Gate*, near *Leeds*, and also of an Act relating to the Road from *Leeds* to *Wakefield*, in the West Riding of the County of *York*. (a) [28th May 1827.]

[59 G. 3. c. lxxxi. repealed. Exemption from Toll for Lord *Stourton* and his Tenants, and others fetching Coal from his Collieries, § 37. Power to collect Toll from Lord *Stourton* and others exempted, in case of Removal of *Hunslet Bar*, § 38. Coal and Lime Stone in *Glass Houghton*, and the Inhabitants of that Township, on *Pontefract Market Days*, exempt from Toll for Thirteen Years, § 41.]

Cap. lxxiii.

An Act for more effectually improving the Road from *Creed* to *Ruan Lanehorne*, and from *Dennis Water* to *Trethim Mill*, in the County of *Cornwall*. (b) [28th May 1827.]

[2 G. 3. c. 46. 24 G. 3. Sess. 1. c. 27. and 45 G. 3. c. xlviii. repealed.]

Cap. lxxiv.

An Act for more effectually repairing the Road from the South East End of the Town of *Loughborough*, in the County of *Leicester*, commencing at *South Field Lane*, to the South End of *Cavendish Bridge*, in the same County. (a) [28th May 1827.]

[17 G. 3. c. 108. and 47 G. 3. Sess. 2. c. xix. repealed. Two full Tolls only to be taken on the same Day, and only One if the Horse passes Five Miles only on the Road, § 16. Where Horses have passed through a Gate, and return drawing a Carriage, the Toll paid on the Horses to be deducted, § 17. No Toll for Lime between 1st May and 1st October in each Year, § 20.]

Cap. lxxv.

An Act for the better Regulation of the Watermen and Lightermen on the River *Thames*, between *Yantlet Creek* and *Windsor*. [14th June 1827.]

6 H. 8. c. 7.

2 & 3 Ph. & M.
c. 16.

‘ WHEREAS an Act was made in the Sixth Year of the
‘ Reign of King *Henry* the Eighth, for regulating the
‘ several Sums that Watermen on the River of *Thames* should
‘ take for their Fare from one Place to another near to the City
‘ of *London*: And Whereas an Act was made in the Second and
‘ Third Years of the Reign of King *Philip* and Queen *Mary*, in-
‘ titled *An Act touching Watermen and Bargemen upon the River*
‘ *of Thames*; and thereby the Mayor and the Court of Aldermen
‘ of the City of *London* were empowered to elect yearly Eight
‘ Watermen to be the Overseers and Rulers of all the Wherry-
‘ men and Watermen upon the said River of *Thames* between *Graves-*
‘ *end*

' *end* and *Windsor*, who should allow of or admit and register
 ' such *Watermen* as therein is mentioned; and the said *Mayor* and
 ' *Court of Aldermen* were directed from time to time, at their
 ' *Discretion*, to set and assess the *Prices* and *Sums* of *Money*
 ' that every *Person* authorized to row by the said *Overseers* and
 ' *Rulers*; betwixt *Gravesend* and *Windsor*, should take for his
 ' *Labour* or *Fare* from *Place* to *Place*: And Whereas an Act was
 ' made in the *First Year* of the *Reign* of *King James the First*,
 ' intituled *An Act concerning Wherry-men and Watermen*: And 1 Jac. 1. c. 16.
 ' Whereas an Act was made in the *Eleventh* and *Twelfth Years*
 ' of the *Reign* of *King William the Third*, intituled *An Act for* 11 & 12 W. 3.
 ' *the Explanation and better Execution of former Acts made touching*
 ' *Watermen and Wherry-men rowing on the River of Thames*; and c. 21.
 ' *for the better ordering and governing the said Watermen, Wherry-*
 ' *men, and Lightermen upon the said River between Gravesend*
 ' *and Windsor*; and thereby *Wherry-men, Watermen, and Lighter-*
 ' *men, working between Gravesend and Windsor*, were constituted
 ' *One Company*, and the said *Lightermen* were directed to be
 ' registered; and the *Court of Lord Mayor and Aldermen* of
 ' the *City of London* were empowered to elect yearly *Eight*
 ' *Watermen*, and also *Three Lightermen* out of *Twelve* to be
 ' nominated by the *Lightermen*, to be *Overseers* and *Rulers* of
 ' the *Wherry-men, Watermen, and Lightermen*; and the said
 ' *Overseers* and *Rulers* were required to appoint such *Assistants*,
 ' and present to the *Court of Mayor and Aldermen* such *Auditors*,
 ' as therein is mentioned; and the said *Rulers, Auditors, and*
 ' *Assistants* were empowered to make *Rules, Orders, and Con-*
 ' *stitutions* for maintaining good *Order* and *Obedience* amongst
 ' the *Company*, to be altered or approved by the said *Court of*
 ' *Mayor and Aldermen*, and afterwards confirmed or altered by
 ' the *Lord Chief Justice* of either *Bench*: And Whereas an Act
 ' was made in the *Fourth Year* of the *Reign* of *Queen Anne*, in- 4 Ann. c. 13.
 ' tituled *An Act for the better ordering and governing the Water-*
 ' *men and Lightermen upon the River of Thames*: And Whereas
 ' an Act was made in the *Second Year* of the *Reign* of *King*
 ' *George the Second*, intituled *An Act for making more effectual* 2 G. 2. c. 26.
 ' *several Acts passed relating to Watermen, Wherry-men, and Lighter-*
 ' *men rowing on the River Thames*; and *for better ordering and*
 ' *governing such Watermen, Wherry-men, and Lightermen*: And
 ' Whereas an Act was made in the *Fourth Year* of the *Reign* of
 ' His said Majesty *King George the Second*, intituled *An Act to* 4 G. 2. c. 24.
 ' *explain and amend a Clause in an Act passed in the Second Year*
 ' *of His Majesty's Reign (for making more effectual several Acts*
 ' *relating to Watermen, Wherry-men, and Lightermen rowing on the*
 ' *River Thames)*, so far as the same relates to *Ferry Boats* and *flat-*
 ' *bottomed Boats*: And Whereas an Act was made in the *Tenth*
 ' *Year* of the *Reign* of His said Majesty *King George the Second*,
 ' intituled *An Act for regulating the Company of Watermen, Wherry-* 10 G. 2. c. 31.
 ' *men, and Lightermen rowing on the River Thames, between Graves-*
 ' *end in the County of Kent, and Windsor in the County of Berks*:
 ' And Whereas an Act was made in the *Thirty fourth Year* of
 ' the *Reign* of His late Majesty *King George the Third*, intituled
 ' *An Act for better regulating and governing the Watermen, Wherry-* 34 G. 3. c. 65.
 ' *men, and Lightermen upon the River of Thames between Graves-*
 ' *end*

29 Car. 2. c. 7.
§ 2.

‘ end *and* Windsor; and thereby the Court of Lord Mayor and Aldermen of the City of London were empowered to make Rules, Orders, and Constitutions for the better Government and Regulation of Watermen, Wherry-men, and Lightermen upon the said River *Thames* between *Gravesend* and *Windsor*, and to alter, repeal, and make void the same, or any of the Rules, Orders, or Constitutions then in force, in Manner and with the Approbation therein mentioned: And Whereas by an Act passed in the Twenty ninth Year of the Reign of King *Charles* the Second, intituled *An Act for the better Observation of the Lord's Day commonly called Sunday*, it was enacted, that no Person or Persons should use, employ, or travel on the Lord's Day with any Boat, Wherry, Lighter, or Barge, except it were upon extraordinary Occasion, to be allowed by some Justice of the Peace of the County, or Head Officer, or some Justice of the City, Borough, or Town Corporate where the Fact should be committed, upon Pain that every Person so offending should forfeit and lose the Sum of Five Shillings for every such Offence: And Whereas the Purposes of the said in part recited Acts would be better effected, if the Watermen, Wherry-men, and Lightermen on the River *Thames*, at and between *Windsor* aforesaid and *Yantlet Creek* in the County of *Kent*, were incorporated, and the several Laws respecting them were consolidated and amended; May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the First Day of *August* next after the passing of this Act, all the several in part recited Acts of the Sixth Year of the Reign of King *Henry* the Eighth, the Second and Third Years of the Reign of King *Philip* and Queen *Mary*, the First Year of the Reign of King *James* the First, the Eleventh and Twelfth Years of the Reign of King *William* the Third, the Fourth Year of the Reign of Queen *Anne*, the Second, Fourth, and Tenth Years of the Reign of King *George* the Second, and the Thirty fourth Year of the Reign of His said late Majesty King *George* the Third, and also so much of the said in part recited Act of the Twenty ninth Year of the Reign of King *Charles* the Second, as prevents any Person or Persons from using, employing, or travelling on the Lord's Day with any Boat, Wherry, Lighter, or Barge, or imposes any Penalty or Punishment for so doing, shall be and the same respectively are hereby repealed.

Recited Acts
of 6 H. 8.
2 & 3 Ph. & M.
1 Jac. 1.
11 & 12 W. 3.
4 Ann. 2 G. 2.
4 G. 2. 10 G. 2.
34 G. 3. and
so much of
29 Car. 2. c. 7.
as prevents
travelling by
Water on Sun-
day, repealed.

Repeal of
recited Acts
not to revive
any Acts re-
pealed by them.
Limits of this
Act.

II. Provided always, and be it further enacted, That the Repeal of the said several hereinbefore in part recited Acts shall not revive any Acts of Parliament, or any Part or Parts of any Acts of Parliament, which have been altered or repealed by the said several hereinbefore in part recited Acts respectively, or any of them.

III. And be it further enacted, That this Act and the several Provisions thereof shall extend and be construed to extend to all Parts of the River *Thames*, from and opposite to and including the Town of *New Windsor* in the County of *Berks*, to and opposite to and including *Yantlet Creek* in the County of *Kent*, and to all Docks,

Docks, Canals, Creeks, and Harbours of or out of the said River, so far as the Tide flows therein.

IV. And be it further enacted, That from and after the said First Day of *August* next after the passing of this Act, the said Company of Watermen, Wherry-men, and Lightermen shall be One Body Corporate, by the Name and Style of "The Master, Wardens, and Commonalty of Watermen and Lightermen of the "River *Thames*," and by that Name shall have perpetual Succession and a Common Seal, and shall and may sue and be sued.

Company in-
corporated.

V. And be it further enacted, That the said Company shall consist of the Watermen, Wherry-men, and Lightermen, whose Names have been registered by the Overseers and Rulers of the said Company, in pursuance of the said recited Acts or some of them, previously to the passing of this Act, and who shall be called Freemen of the said Company, and of such other Persons as shall be admitted Freemen of the said Company as hereinafter is mentioned.

Of whom the
Company is to
consist.

VI. And be it further enacted, That it shall be lawful for the said Company to purchase or hold Lands, Tenements, or Hereditaments, to them, their Successors, and Assigns, not exceeding in the whole the yearly Value of One thousand Pounds at the Time of the Purchase or taking thereof, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and also to sell all or any of such Lands, Tenements, or Hereditaments, and from time to time to purchase other Lands, Tenements, and Hereditaments in lieu thereof.

Power to the
Company to
purchase and
hold Land.

VII. And be it further enacted, That for better managing the Affairs of the said Company there shall be a Court of Master, Wardens, and Assistants, consisting of Twenty six Members; and that *Francis Theodore Hay, John Drinkald, James Betts, Abraham Sanderson, Anthony Lyon, William Chapman, John Jackson, Robert Thompson, Joseph Turnley, Thomas East, John Banyon, Robert Banyon, William Easton, William Randall, Charles Hay, Daniel Neal, Henry Stanton, Charles James White, Thomas Hill, William Bradley, Thomas Gillet, James John Thompson, John Cracklow, James Watford, John Drew, and Francis Flower*, be the First Members of the said Court, and shall continue Members of the said Court during their respective Lives, unless they respectively shall resign, or be removed in manner hereinafter mentioned.

First Court of
Master,
Wardens, and
Assistants,
appointed.

VIII. And be it further enacted, That One of the Members of the said Court shall be and be called the Master of the said Company, and that the said *Francis Theodore Hay* shall be the First Master of the said Company, and shall continue in the said Office until another Master shall have been elected, and approved and sworn in, as hereinafter is mentioned, unless he shall sooner resign or die, or cease to be a Member of the said Court; and that Four other Members of the said Court shall be and be called the Wardens of the said Company, One of whom shall be called the Senior Warden, and the remaining Three shall be called the Junior Wardens, and that the said *John Drinkald* shall be the First Senior Warden of the said Company, and the said *James Betts, Abraham Sanderson, and Anthony Lyon*, shall be the First Junior Wardens of the said Company; and the said Four Wardens respectively shall continue in their said respective Offices until other Wardens shall

First Master
and Wardens
appointed.

shall have been elected, and approved and sworn in, in their *Stead* respectively, as hereinafter is mentioned, unless they respectively shall sooner resign, or die, or cease to be Members of the said Court.

A Quarterly Court to be held.

IX. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall meet Four Times in every Year, (that is to say) on the First *Tuesday* after the Twenty ninth Day of *September*, the Twenty fifth Day of *December*, the Twenty fifth Day of *March*, and the Twenty fourth Day of *June* respectively, or on such other Day within Seven Days thereafter as shall be appointed at any prior Meeting; and every such Meeting shall be called a Quarterly Court for the Affairs and Business of the said Company.

Extraordinary Courts may be held.

X. And be it further enacted, That it shall be lawful for the said Court to hold an Extraordinary Meeting whenever any Quarterly or Extraordinary Court, or the major Part of the Members of the said Court for the Time being, shall think proper.

Appointment of Chairman.

XI. And be it further enacted, That at every Court of Master, Wardens, and Assistants, the Master for the Time being of the said Company shall preside; and if he be unable from Illness or any other Cause to attend, the Senior Warden if present, or in his Absence One of the Junior Wardens, or if none of the Junior Wardens be present, then the senior Member of the Court who shall be present (the Members named in this Act, or in any Election of Two or more Members, being considered to have Seniority according to the Order in which they are or shall be named) shall preside.

Regulations as to Quorum, and voting, &c. at Courts.

XII. And be it further enacted, That no Business shall be transacted at any Court unless Thirteen Members be present; and all Business transacted at a Court of Thirteen or more Members shall be as valid in the Absence of the Master and Wardens, or any of them, as if they were all present; and that all Questions at any Court shall be decided by the Majority in Number of the Votes of the Members present, and every Member shall have One Vote; and if on a Division there shall be an equal Number of Votes on each Side, the said Master, Warden, or other Member presiding at such Court, shall have a Second or casting Vote; and the Proceedings of every Court shall be entered in a Book to be kept for that Purpose, and signed by the Master, Warden, or Member who shall preside.

Master and Wardens to be elected yearly by the Court, and to be approved of by the Court of Mayor and Aldermen.

XIII. And be it further enacted, That the Quarterly Court to be holden next after the First Day of *June* in every Year shall elect One of the Wardens for the Time being of the said Company to be the Master of the said Company for the ensuing Year, and One other of the Wardens or other Members of the said Court to be the Senior Warden of the said Company for the ensuing Year, and Three others of the Wardens or other Members of the said Court to be the Junior Wardens for the ensuing Year; and the Master and Wardens so elected shall be presented to the then next Court of Mayor and Aldermen of the said City of *London*; and if the said Court of Mayor and Aldermen shall not approve of the Warden elected Master, or of the Warden or Member elected Senior Warden, or of the Members elected Junior Wardens as aforesaid, or any of them, the said Court of Master, Wardens,

Wardens, and Assistants shall forthwith cause the Clerk of the said Company to summon an Extraordinary Court, and proceed to elect, in the Place of the Person or Persons who shall not be approved of, another of the Wardens to be Master thereof, if the Warden elected shall not be approved of, and another of the Wardens or Members to be Senior Warden, if the Warden or Member elected shall not be approved of, and others or another of the Members to be Junior Wardens or Warden, if the Members elected Junior Wardens, or any of them, shall not be approved of, and shall present such Persons or Person elected as last aforesaid to the next Court of Mayor and Aldermen of the said City which shall be holden after the said last Election, and so on until a Master, a Senior Warden, and Three Junior Wardens, to be elected in manner aforesaid, shall be approved of by the said Court of Mayor and Aldermen; and if none of the Wardens shall be approved of by the said Court of Mayor and Aldermen, as Master of the said Company, the said Court of Master, Wardens, and Assistants of the said Company shall elect one other of the Members of the said Court to be the Master of the said Company, who shall in like Manner be presented to the said Court of Mayor and Aldermen for their Approbation, and so on until the said Court shall approve of a Master elected as aforesaid; and after such Approval, the Master and Wardens so elected and approved shall, upon being duly sworn in as hereinafter is mentioned, become the Master and Wardens of the said Company, and the former Master and Wardens respectively, if not reelected, shall go out of Office; and the said Master and Wardens elected and approved as aforesaid shall continue in Office until the Quarterly Court to be holden next after the First Day of *June* then next following, and from thence until some other Persons shall be duly elected and approved of, and sworn in in their Stead respectively, or they respectively resign, or die, or be removed from being Members of the said Court.

XIV. And be it further enacted, That no Master or Warden hereby appointed, or to be elected and approved as aforesaid, shall act in the said Office respectively until he shall, before the said Court of Mayor and Aldermen, have taken the following Oath; (that is to say,)

‘ I elected and approved Master [*or Warden, as the Case may be,*] of the Company of Watermen and Lightermen of the River *Thames*, do swear, That I will faithfully perform the Duties of the said Office to the best of my Power.

So help me GOD.’

XV. And be it further enacted, That when and so often as any Master, or any One of the Wardens of the said Company, shall die or resign his Office, or be removed from being a Member of the said Court, as hereinafter is mentioned, during the Continuance of his respective Office, the said Court of Master, Wardens, and Assistants shall, as soon as conveniently may be after such Death, Resignation, or Removal, elect One other of the said Wardens or Members of the Court of the said Company to be Master or Warden, as the Case may require, in the Place of the Master or Warden who shall have died, resigned, or been removed;

Oath to be taken by the Masters and Wardens.

On Vacancies by Death, &c. of Master or Wardens, others to be elected, subject to the like Approbation.

moved; and the Person so elected shall be presented, and when approved of sworn in to the said Office in the Manner hereinbefore directed, and shall continue in such Office during such Time as the Person in whose Place he shall be appointed would, according to the Directions hereinbefore contained, have continued in the said Office.

Master, &c. neglecting to attend any Court for One Year without Permission, shall be removed.

XVI. And be it further enacted, That if any Master, Warden, or other Member of the Court of the said Company, shall without reasonable Excuse, which shall be satisfactory to the said Court of Master, Wardens, and Assistants, neglect for the Space of One Year to attend at any Quarterly or Extraordinary Court of Master, Wardens, and Assistants, the next Court shall remove him from being a Member of the said Court.

XVII. And be it further enacted, That it shall be lawful for any Court of Master, Wardens, and Assistants to remove any of the Members of the said Court for Ill-government, Misbehaviour, or other reasonable Cause.

Members of the Court may be removed.

XVIII. And be it further enacted, That when and so often as any of the Members of the said Court shall die, or resign, or be removed, the said Court of Master, Wardens, and Assistants shall elect from amongst the Freemen for the Time being of the said Company such Three Persons as to them shall seem meet for supplying such Vacancy; and the Persons so elected, upon having received Notice thereof in Writing, signed by the Clerk of the said Company, left at their respective last or usual Places of Abode Seven Days before the Time of such Presentation, shall be presented to the next Court of Mayor and Aldermen of the said City of London; and such Court shall select from the Three Persons so presented to them such One as they shall most approve of, who shall thereupon become a Member of the said Court of the said Company, and shall continue in the said Office during his Life, unless he shall resign or be removed therefrom as aforesaid: Provided always, that whenever, in consequence of there being more than One Vacancy in the said Office of a Member of the said Court at the same Time, other Freemen of the said Company (being Three Times the Number required to fill such Vacancies) shall be presented to the said Court of Mayor and Aldermen, and the said Court may select such of the Persons presented to fill the vacant Offices as they shall think proper, and shall not be obliged to select One of the Three elected to supply each Vacancy respectively.

For the Election of new Members of the Court,

Oath to be taken by the Members of the Court.

XIX. And be it further enacted, That no Member of the said Court shall act in the said Office until he shall, before the said Court of Mayor and Aldermen, have taken the following Oath; (that is to say),

‘ I do swear, That I will faithfully execute the Office of a Member of the Court of the Company of Watermen and Lightermen of the River *Thames*, and during the Time that I shall continue in the said Office to the best of my Abilities assist and counsel the Master and Wardens of the said Company for the Time being in all Matters and Things relating to the Welfare of the said Company. So help me GOD.’

Persons refusing to serve to

XX. And be it further enacted, That if any Person who shall be elected Master, Warden, or Member of the said Court of the said

said Company shall neglect or refuse to be presented to the said Court of Mayor and Aldermen, or after he has been presented to and approved of or selected (as the Case may require) by the said Court, shall neglect or refuse to take upon him or execute the said Office, the Person so refusing or neglecting shall forfeit and pay for every such Default the Sum hereinafter mentioned; (that is to say), if he shall have been elected Master, the Sum of Twenty Pounds of lawful Money of *Great Britain*; if he shall have been elected Warden, the Sum of Fifteen Pounds of like lawful Money; and if he shall have been elected a Member of the said Court, the Sum of Ten Pounds of like lawful Money; and any Sum so forfeited shall and may be recovered by the Court of Master, Wardens, and Assistants of the said Company, by an Action of Debt, Bill, Plaint, or Information brought in the Name of the Clerk of the said Company in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and every Person who shall duly serve the said respective Offices, or make such Default upon being elected thereto respectively as aforesaid, shall be liable to be again elected to the same Office respectively at any future Time or Times, and on such Refusal or Neglect as aforesaid, without reasonable Excuse, satisfactory to the said Court of Master, Wardens, and Assistants of the said Company, shall be from time to time subject to the same Penalties as often as he respectively shall be elected and make such Default as aforesaid: Provided always, that no Person shall be compelled to serve the Office of Master or Senior Warden of the said Company more than Once, or the Office of Junior Warden of the said Company more than Three Times.

be subject to a Penalty, and be liable to be elected again.

Proviso as to Masters and Wardens.

Clerk.

XXI. And be it further enacted, That the Quarterly Court to be holden in every Year next after the First Day of *June* shall elect or re-elect a Clerk of the said Company, and any Quarterly or Extraordinary Court of Assistants may remove the said Clerk, and on the Death, Resignation, or Removal of any Clerk, a Clerk shall be elected at the then next or some subsequent Court; and *Thomas Shelton* Gentleman shall be the First Clerk, and he shall continue in Office until the said Quarterly Court to be holden after the First Day of *August* next after the passing of this Act, or until another Clerk shall be elected and sworn in his Place, unless he shall sooner die, or resign, or be removed; and the said *Thomas Shelton*, and every Person elected Clerk, shall, before the Court of Master, Wardens, and Assistants, take the following Oath; (that is to say,)

‘ I do swear, That I will faithfully perform the Office of Clerk of the Company of Watermen and Lightermen of the River *Thames*, to the best of my Power.
‘ So help me GOD.’

Oath to be taken by the Clerk.

And every Clerk shall, previously to his entering into the Execution of his said Office, give Security to the Master and Wardens for the Time being, with Two Sureties, to be approved of by the Court of Master, Wardens, and Assistants, in the Penalty of Five

Five hundred Pounds for the due Execution thereof, and for duly accounting for all Monies to be received by him for the Use of the said Company by virtue of his said Office.

Accounts to be kept by the Clerk.

XXII. And be it further enacted, That the Accounts of the said Company shall be regularly kept by the said Clerk under Two distinct Heads, and in different Books, the one to be entitled "The Poor's Accounts," and the other to be entitled "The Company's Accounts;" and that the said Accounts shall be audited by the said Court of Master, Wardens, and Assistants, at their Quarterly Court, which shall be holden next after the First Day of *June* in every Year, or by a Committee to be by them appointed for that Purpose, consisting of not less than Five Members of the said Court, or oftener if occasion shall require.

Clerk to summon and attend Courts and be entitled to Fees.

XXIII. And be it further enacted, That the said Clerk shall summon or cause to be summoned every Member of the Court of Master, Wardens, and Assistants, to attend every Meeting of the said Court, by causing a written or printed Notice to be left at the usual Places of Abode of such Members respectively, and shall attend every Meeting of the said Court, unless prevented by Illness or other reasonable Cause, and shall receive, on the Execution of Indentures of Apprenticeship, and Assignments thereof, and on the Admission of Freemen, such Fees respectively, and also such Salary, as the said Court of Master, Wardens, and Assistants shall from time to time appoint.

Penalty on Clerk for neglecting to register.

XXIV. And be it further enacted, That if the Clerk of the said Company shall refuse or neglect to register the Name and Place of Abode or Work of any Freeman, or Widow of a Freeman, or the Number of any Wherry, Boat, or other Vessel, or the Name and Place of Abode of any Person who may keep any Lighter, Barge, or other Boat or Craft, and the Name and Number thereof, or other Matter or Thing required by this Act to be registered by him, on being applied to and required so to do, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Court to appoint Inspectors of Plying Places, &c., Beadles, and other Officers.

XXV. And be it further enacted, That it shall be lawful for the said Court of Master, Wardens, and Assistants, from time to time, and as often as they shall think proper, to name, place, and appoint Plying Places, and Inspectors of Plying Places and Causeways adjoining or near unto the said River *Thames*, and of Passage and other Boats and Wherries used for the carrying and conveying of Persons on the said River for Hire or Gain, and also Beadles and such other inferior Officers and Servants as shall be convenient, and allow them, or any of them, such Fees to be paid on the Execution of Indentures of Apprenticeship, and the Admission of Freemen of the said Company, and such Salaries or Wages, as they shall think proper; and may remove the said Inspectors, Beadles, Officers, and Servants, or any of them, from time to time, as they shall think fit: Provided always, that the Plying Places at *Gravesend* and *Milton* next *Gravesend* shall be named and appointed by the said Court of Master, Wardens, and Assistants, with the Consent of the Mayor, Jurats, and Common Council of *Gravesend*.

Court for binding Apprentices and Admission of Freemen.

XXVI. And be it further enacted, That at the Court to be holden next after the First Day of *June* in every Year, Five of the Members of the said Court, not being the Master or Wardens (Preference

(Preference being given to such of them (if any) as shall have served the Office of Master), shall be appointed, who, together with the Master and Wardens for the Time being of the said Company, and such other of the Assistants as shall think proper from time to time to attend, shall be a Court for the Admission of Freemen of the said Company, and the Execution of Indentures of Apprenticeship, and Assignment of Apprentices; and such Court shall meet from time to time during the Year for which they shall be appointed, when they shall think proper, but no Business shall be transacted at any such Meeting unless Five Persons be present, and it shall not be necessary for the Master or any of the Wardens to form Part of such Five Persons; and the same Person shall preside, and all Questions shall be determined at the said Court in the same Manner, as is hereinbefore provided with respect to the Meetings of the Court of Master, Wardens, and Assistants of the said Company; and that no Indenture of Apprenticeship, or the Assignment of any Apprentice from one Master to another, or the Admission of any Person to be a Freeman of the said Company, shall be executed or made, except at a Meeting of the said Court; and the said Court shall admit to be Freemen of the said Company such Persons as shall have duly served their Apprenticeships either before or after the passing of this Act, or partly before and partly after the passing of this Act, to Watermen or Lightermen, or Widows now or hereafter authorized to take such Apprentices, and no other Persons; and such Persons, when admitted by the said Court and sworn as hereinafter is mentioned, shall become Freemen of the said Company.

XXVII. And be it further enacted, That no Person admitted by the said last-mentioned Court shall be entitled to exercise any of the Rights or Privileges of a Freeman of the said Company until he shall before the same Court have taken the following Oath; (that is to say),

Freeman's
Oath.

‘ I Swear, That I will be true to our Sovereign Lord the King, His Heirs and Successors, and will be obedient to the Court of Master, Wardens, and Assistants of the Company of Watermen and Lightermen of the River *Thames*, and observe and keep all the Rules, Orders, and Constitutions made and to be made by the said Court, or pay such Penalties as I shall be adjudged to pay by virtue thereof. ‘ So help me GOD.’

XXVIII. And be it further enacted, That no Person shall be admitted a Freeman of the said Company unless he shall have rowed and worked on the said River as the Apprentice of some Freeman of the said Company, or of the Widow of some Freeman, for the full Space of Seven Years (except as hereinafter is mentioned); and it shall be lawful for the Widow of any Freeman to bind, take, and employ Apprentices, in the same Manner as her Husband might have done if living.

Period of Ap-
prenticeship.

Widows may
take Appren-
tices.

XXIX. And be it further enacted, That no Freeman of the said Company, or the Widow of any Freeman, shall at the same Time have more than Two Apprentices, or take a Second Apprentice until the First shall have served Four Years at the least of his Apprenticeship, unless such Freeman or Widow shall be the Owner of

Regulation as
to the Number
of Apprentices.

of Twelve Barges, Lighters, or flat-bottomed Craft; and every Freeman or Widow, being the Owner of such Barges, Lighters, or flat-bottomed Craft, may have Three Apprentices at one Time, and being the Owner of Twenty Barges, Lighters, or flat-bottomed Craft, may have Four Apprentices, and no more; and if any Freeman or Widow shall take or employ a greater Number of Apprentices than hereinbefore are mentioned, he or she shall for every additional Apprentice forfeit and pay any Sum not exceeding Ten Pounds; and the said Court for the binding of Apprentices may require Proof on Oath that the Freeman or Widow is *bonâ fide* the real Owner of the Number of Lighters, Barges, or flat-bottomed Craft, in respect of which any additional Apprentice is proposed to be taken, before the binding of such Apprentice respectively.

No Freeman or Widow to take any Apprentice under Fourteen or above Eighteen Years of Age.

XXX. And be it further enacted, That after the First Day of *August* next after the passing of this Act, it shall not be lawful for any Freeman of the said Company, or Widow of a Freeman, to bind or take any Person as an Apprentice who shall be under the Age of Fourteen Years, or above the Age of Eighteen Years; and no Indentures of Apprenticeship shall be executed unless it appear by Certificate, signed by the Minister or Churchwardens for the Time being of the Parish or Place where the Person to be bound was or shall be born or baptized, or by the Oath (or Affirmation, if of the People called *Quakers*,) of a credible Witness, that such Person is of the Age of Fourteen Years, and under the Age of Eighteen Years.

Penalty for forging or producing false Certificate of Baptism.

XXXI. And be it further enacted, That if any Person or Persons shall falsely forge or counterfeit, or knowingly or willingly produce any false or forged Certificate, or make any false Oath or Affirmation, of or concerning the Age of any Person to be bound Apprentice as aforesaid, he or they shall forfeit for every such Offence any Sum not exceeding Ten Pounds, and the Indentures of Apprenticeship of such Apprentice shall be null and void to all Intents and Purposes whatsoever.

None but Freemen or Widows whose Names and Places of Abode or Working are registered in the Books of the Company to take Apprentices.

XXXII. And be it further enacted, That after the First Day of *August* next after the passing of this Act, no Freeman of the said Company, or Widow of a Freeman, shall bind or employ any Apprentice or Apprentices, unless he or she shall be a Housekeeper, or have some known Place of Abode or of Work; and every Freeman or Widow of a Freeman shall on the First Day of *September* in every Year, or within Ten Days afterwards, give Notice to the Clerk of the said Company for the Time being of his or her Place of Abode or Work, in order that the same may be registered; and such Freeman or Widow shall lodge such Apprentice or Apprentices in the House in which he or she shall reside; and upon any Application made to the Clerk of the said Company to register the Place of Abode or Work of every Freeman or Widow as aforesaid, the same shall be registered in a Book or Books of the said Company to be kept for that Purpose, without Fee or Reward; and if any such Freeman or Widow, who shall bind or employ any Apprentice or Apprentices, shall neglect or refuse to give such Notice of his or her Place of Abode or Work as aforesaid, or shall not lodge his or her Apprentice in the same House, he or she shall for every such Offence forfeit and

and pay any Sum not exceeding Ten Pounds; and the Apprentice or Apprentices of such Person shall and may, upon Application made to the Court of Master, Wardens, and Assistants of the said Company, at any of their Meetings, be by them turned over to any other Master or Mistress, any Indenture, Covenant, Contract, or Agreement to the contrary notwithstanding.

XXXIII. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend to prevent any Freeman, or the Widow of any Freeman, being the Owner or Master of any *Gravesend* Boat, decked Sailing Barge, or other decked Craft or Vessel, from lodging his or her Apprentice or Apprentices on board of such Boat, Barge, or Vessel, or to prevent any Freeman, or the Widow of any Freeman, being the Owner, and possessed of Twelve Barges, Lighters, or flat-bottomed Craft, or upwards, from lodging his or her Apprentice or Apprentices in the same House or Vessel with his or her Foreman.

Proviso as to the lodging of Apprentices.

XXXIV. And be it further enacted, That no Apprentice who shall hereafter be bound contrary to the true Intent and Meaning of this Act shall obtain or be admitted to the Freedom of the said Company by reason of such Apprenticeship.

Apprentices bound contrary to this Act.

XXXV. And be it further enacted, That every Person duly bound Apprentice to any Freeman of the said Company, or the Widow of any Freeman, shall serve and be compellable to serve the whole of his Apprenticeship, notwithstanding he may previously have attained the Age of Twenty one Years; any Law or Statute to the contrary notwithstanding.

Apprentices to be compelled to serve although of Age.

XXXVI. And be it further enacted, That after the First Day of *August* next after the passing of this Act, it shall not be lawful for any Apprentice or Apprentices to have or take the sole Care of any Boat or other Vessel, unless such Apprentice, or One of such Apprentices, shall have worked and rowed upon the said River as an Apprentice for the Space of Two Years at the least; and the Master or Mistress of every such Apprentice, not having rowed and worked as aforesaid, who shall have or take such Care of any such Boat or other Vessel, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

No Apprentice to have the sole Care of any Boat unless he shall have served Two Years.

XXXVII. And be it further enacted, That if any Person, not being a Freeman of the said Company, or an Apprentice to a Freeman or to the Widow of a Freeman of the said Company, (except as hereinafter is mentioned,) shall at any Time act as a Waterman or Lighterman, or ply, or work or navigate, or cause to be worked or navigated, any Wherry, Lighter, or other Craft, upon the said River, from or to any Place or Places, or Ship or Vessel, within the Limits of this Act, for Hire or Gain, (except as hereinafter is mentioned,) every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

None but Freemen of the Company (except as after mentioned) to row or work any Boats or Craft for Hire.

XXXVIII. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall grant a Licence to any Freeman of the said Company, or the Widow of any Freeman, to use and work for Hire any Wherry, Boat, or other Vessel, for carrying Persons or Passengers on the said River *Thames*, within the Limits of this Act, on a Certificate being produced to them, verified by the Oath of the Builder or Builders, or Owner or Owners of such Wherry, Boat, or other Vessel, of the Burthen,

No Boat to be used for carrying Passengers without a Licence, expressing the Number of Persons it may be allowed to carry.

Number and
Name of Owner
to be painted
thereon.

Penalty for
taking more
than the Num-
ber allowed.

Size, and Dimensions thereof, according to the Bye Laws or Regulations to be made from time to time for that Purpose; in which Licence shall be expressed the Number of Persons or Passengers such Wherry, Boat, or other Vessel respectively shall be permitted to take and carry; and for every such Licence One Shilling and no more shall be paid; and such Licence shall contain a Number for such Wherry, Boat, or other Vessel, which shall be registered in a Book or Books to be kept for that Purpose by the Clerk of the said Company; and the Owner or Owners of such Wherry, Boat, or other Vessel shall cause such Number, together with his, her, or their own Name or Names, to be painted and kept legible in such Wherry, Boat, or other Vessel, in such Manner as in any Bye Laws or Regulations to be made by the said Court of Master, Wardens, and Assistants, or by the said Court of Mayor and Aldermen of the City of London, shall from time to time be directed; and no Wherry, Boat, or other Vessel belonging to any Freeman of the said Company, or the Widow of any Freeman, shall at any Time hereafter be allowed to ply for Hire at any public Stairs or Plying Places for the carrying of Persons or Passengers for Hire within the Limits of this Act, without such Licence as aforesaid; and if any Wherry, Boat, or other Vessel shall be used or worked without such Licence for the same having been first obtained as aforesaid, or without such Name or Names and Number painted or legible thereon as aforesaid, the Owner or Owners thereof shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings; and if a greater Number of Persons or Passengers than shall be expressed in the Licence shall be taken or carried in any such Wherry, Boat, or other Vessel, the Occupier or Occupiers thereof shall forfeit and pay for the First Offence, for every Person or Passenger exceeding such Number, any Sum not exceeding Forty Shillings; and every Person or Persons who shall offend in the Premises a Second Time, and be thereof convicted, shall be disfranchised, and shall not be allowed to work, row, or navigate any Wherry, Boat, or other Vessel, or to enjoy any of the Privileges of a Freeman of the said Company, for the Space of Twelve Calendar Months; and in case any greater Number of Persons or Passengers shall be taken and carried in any such Wherry, Boat, or other Vessel, than are respectively allowed to be carried therein as aforesaid, and any One or more of them shall by reason thereof be drowned, every Person or Persons who shall work or navigate such Wherry, Boat, or other Vessel, offending therein, and being thereof lawfully convicted, shall be deemed guilty of Misdemeanor, and shall be liable to such Punishment as in Cases of Misdemeanor, at the Discretion of the Court before whom such Offender shall be tried and convicted; and every such Person so convicted shall also be disfranchised, and not allowed at any Time thereafter to work, row, or navigate any Wherry, Boat, or other Vessel, or to enjoy any of the Privileges of a Freeman of the said Company: Provided always, that no Licence shall be granted by the said Master, Wardens, and Assistants to any Freeman of the said Company, or the Widow of any Freeman, residing at *Gravesend* or at *Milton* next *Gravesend*, to use and work for Hire any Wherry or Boat for carrying

rying more than Ten Persons or Passengers, unless he or she shall produce a Licence from the Mayor, Jurats, and Common Council of *Gravesend*, together with a Certificate of his or her being a fit and proper Person for that Purpose.

XXXIX. And be it further enacted, That the said Court of Master, Wardens, and Assistants, upon the Request in Writing, addressed to the Clerk of the said Company, and left at the Hall of the Company, or the Office of such Clerk, of every Person or Persons who now keep or shall hereafter keep on the said River, within the Limits of this Act, any Lighter, Barge, or other Boat or Craft used or to be used for the carrying of Goods, Wares, or Merchandize, without Passengers, from or to any Place or Places, Ships or other Vessels, (except as hereinafter is mentioned), shall cause the Name or Names and Place or Places of Abode of such Person or Persons, and also the Name or Names by which any such Lighter, Barge, Boat, or other Craft for carrying Goods, Wares, or Merchandizes, shall be called or designed to be called, to be duly registered in a Book or Books to be kept by the Clerk of the said Company for that Purpose, to whom every such Person or Persons shall pay, for the Use of the said Company, One Shilling for each Lighter, Barge, or other Boat or Craft, for every such Registry, and shall also cause a Number for such Lighter, Barge, or other Boat or Craft respectively, to be forthwith delivered by the said Clerk to such Owner or Owners, who shall cause the same, together with the Name or Names of the said Lighters, Barges, and other Boats and Craft, to be painted White on a Black Ground, in Capital Letters and Figures, the Figures to be not less than Six Inches long, and broad in proportion, and the Letters not less than Four Inches long, and broad in proportion, such Figures and Letters to be painted on the Hudds Boards of Barges, and on the Bows of Lighters and other Craft, and to be preserved and kept legible, so as to be plainly seen in the Day-time by Persons passing on the said River; and no Person or Persons shall have Two Lighters, Barges, or other Boats or Craft of the same Name; and if any such Lighter, Barge, or other Craft shall be worked or navigated without being registered, or without the Number and Names being painted and legible as aforesaid, the Owner or Owners thereof shall for every such Offence forfeit and pay any Sum of Money not exceeding Forty Shillings.

XL. And be it further enacted, That every Person not residing within the Limits of this Act, who now keeps or shall hereafter keep any Lighter, Barge, or other Boat, Craft, or Vessel, used or to be used for the carrying of Goods, Wares, or Merchandize, which may be navigated on the said River within the Limits of this Act, shall cause his or her Name and Place of Abode, and also the Name or Names by which any such Lighter, Barge, or other Boat, Craft, or Vessel shall be called or designed to be called, to be painted White on a Black Ground, in Capital Letters and Figures, the Figures not to be less than Six Inches long, and broad in proportion, and the Letters not less than Four Inches long, and broad in proportion, such Figures and Letters to be painted on the Hudds Boards or Sterns of such Lighters, Barges, Boats, Craft, and Vessels, and to be preserved and kept legible

The Names of Persons keeping Boats, &c. for carrying Goods, without Passengers, (except as after mentioned), and also the Names of such Boats, to be registered in the Books of the Company.

The Names and Numbers of such Boats to be painted thereon.

Names of Owners residing out of the Limits of the Act to be painted on their Lighters, &c. navigated within the Limits.

so as to be plainly seen in the Day-time by Persons passing on the said River; and no Person shall have Two Lighters, Barges, Boats, Craft, or Vessels of the same Name; and if any such Lighter, Barge, Boat, Craft, or Vessel shall be worked or navigated within the Limits of this Act without the Name and Place of Abode being painted and legible as aforesaid, the Owner or Owners thereof shall for every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds.

Boats let for Hire to be registered and numbered.

XLI. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall, upon the Request in Writing addressed to the Clerk of the said Company, and left at the Hall of the Company or the Office of such Clerk, of every Person or Persons who now keep or shall hereafter keep on the said River, within the Limits of this Act, any Wherry or other Boat to be let out for Hire or Gain, cause the Name or Names and Place or Places of Abode of such Person or Persons to be duly registered in a Book or Books to be kept by the Clerk of the said Company for that Purpose, to whom every such Person shall pay, for the Use of the said Company, Two Shillings and Sixpence for each Wherry or Boat for every such Registry, and also cause a Number for each Wherry or Boat to be forthwith delivered by the said Clerk to such Person or Persons; and such Number shall be painted in Capital Figures, to be not less than Two Inches long, and broad in proportion, in such Wherry or other Boat, and be preserved and kept legible so as to be plainly seen in the Day-time by Persons passing on the said River; and if any such Person or Persons shall neglect to cause such Wherry or Boat to be registered, or such Number to be painted or preserved legible, they, he, or she shall for every such Offence forfeit and pay any Sum of Money not exceeding Forty Shillings.

Court may appoint Sunday Ferries between Chelsea and Bow Creek;

XLII. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall appoint any Number of Watermen in their Discretion to ply and work on the said River *Thames* on every *Sunday* at and between *Chelsea* and *Bow Creek*, (but so as not to interfere with or prejudice any established private Ferry,) at such common Stairs or Places of plying on either Side of the said River as to the said Court shall seem convenient; and the Fare to be taken shall be Two Pence for each Person carried across the River; and every Waterman appointed as aforesaid shall on the *Monday* Morning, or such other Day as the said Court of Master, Wardens, and Assistants shall appoint for that Purpose respectively, pay unto the Clerk of the said Company, or such other Person as the said Court shall from time to time direct, all such Sums of Money as by them respectively shall be received for conveying Passengers on *Sunday* as aforesaid; and the said Court shall pay or cause to be paid to each Waterman by them appointed as aforesaid, such a Sum or Sums for his Day's Labour as they shall have agreed to pay for the same; and the Surplus shall from time to time be applied to the Use of the poor, aged, decayed, and maimed Watermen and Lightermen of the said Company, and their Widows, at the Discretion of the said Court of Master, Wardens, and Assistants; and if any Person appointed to work as aforesaid, shall neglect to pay over on the *Monday*, or such other Day as aforesaid, the full Sum of Money received

received by him on the *Sunday* then last past, he shall for every Omission or short Payment forfeit and pay any Sum of Money not exceeding Forty Shillings.

XLIII. And be it further enacted, That it shall be lawful for the said Court of Master, Wardens, and Assistants to let to farm to any Freeman or Freemen the said Plying and Working on *Sundays*, at any common Stairs or Places of plying, for carrying and recarrying of Passengers across the said River, for such Time as they shall think proper, provided they give or cause to be given Fourteen Days previous Notice thereof, by ordering a printed Paper, expressing their Intention to let the same, to be affixed in some conspicuous Place at or near such respective common Stairs or Places of plying, and let the same accordingly to the highest Bidder or Bidders, who shall give Security to their Satisfaction for Payment of the Rent or Sum or Sums of Money bid by him or them for such Plying and Working; and that if any Freeman whom the said Court shall appoint to ply and work as aforesaid, or any Person or Persons who shall take such Plying or Working to farm, or any Person or Persons employed by or under him, shall demand or take from any Person or Persons whom he or they shall ply to or carry across the said River, any greater Sum of Money than Two Pence for each Person, he or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

and may let the same to farm.

XLIV. Provided also, and be it further enacted, That if any Person or Persons to be appointed to ply and work, or taking such Plying and Working to farm as aforesaid, shall employ, or wilfully permit or suffer any other Person or Persons to be employed in plying or working as aforesaid, until such last-mentioned Person or Persons, and the Boat or Boats to be used by him or them, shall have been approved of for that Purpose by the said Court of Master, Wardens, and Assistants, he or they shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Persons farming the same to employ no Person who has not been approved of by the Court.

XLV. Provided always, and be it further enacted, That nothing herein contained shall extend to authorize or empower the said Court of Master, Wardens, and Assistants, or any other Person or Persons whomsoever, to appoint any *Sunday Ferries*, or grant any Licences to any Watermen or others to ply on the River *Thames* on a *Sunday*, from or at the Stairs on either Side of the Bridge at *Vauxhall*, or at any Stairs or other Place within Two hundred Yards of any Part of the said Bridge, so as to interfere with, prejudice, or affect the Tolls authorized to be taken for crossing the same.

Sunday Ferries not to be appointed within 200 Yards of *Vauxhall Bridge*.

XLVI. And be it further enacted, That no Freeman of the said Company, nor any Apprentice to a Freeman, or to the Widow of a Freeman of the said Company, except such as shall be appointed as aforesaid, shall ply for, or take or carry on a *Sunday*, at or from any common Stairs or Place of plying on either Side of the said River at and below *London Bridge*, at which the said Court shall appoint Watermen to ply and work as aforesaid, any Fare or Passenger across the said River, or to either of the Two common Stairs or Places of plying on the opposite Side of the said River next above or next below the Stairs or Place at which such Freeman or Apprentice shall ply, nor to any Place or Places to which the Fares and Passengers taken at such several and respective

Watermen not to ply or work on *Sunday*, below *London Bridge*, at the Plying Places next above and below any *Sunday Ferry*.

common Stairs and Places of plying are usually conveyed by the Watermen appointed or to be appointed by the said Court to ply and work at, nor to any Ship, Vessel, or Craft lying or being on the said River within the Distance of such Two other Stairs or Places of plying, on pain of forfeiting and paying for every such Offence any Sum of Money not exceeding Forty Shillings.

XLVII. And be it further enacted, That it shall be lawful for the Justices of the Peace acting in and for the Corporation, Villages, and Parishes of *Gravesend* and *Milton*, or either of them, to grant Licences, at their or his Discretion, to any Number of the Freemen of the said Company residing at *Gravesend*, or any of the Apprentices of such Freemen, or the Widows of such Freemen, residing at *Gravesend*, to carry Goods and Passengers for Hire at and from *Gravesend* on *Sundays*; and such Licence shall continue in force for the Time that shall be therein expressed: Provided nevertheless, that the said Justices, or either of them, shall have Power and Authority from time to time to recall such Licences before the Expiration of the Time therein respectively to be expressed for the Continuance of the same.

XLVIII. And be it further enacted, That the Fares or Sums of Money to be taken on *Sundays* by Freemen and Apprentices licensed to work at *Gravesend* as aforesaid shall be paid by them to such Persons as the said Court of Master, Wardens, and Assistants of the said Company shall from time to time appoint for that Purpose; and out of the said Monies such Sum as the said Court shall from time to time think proper and fix, shall be paid to every such Freeman and Apprentice for his Day's Labour, and the Surplus thereof shall be distributed Twice in every Year to or for the Benefit of the Freemen of the said Company residing at *Gravesend*, and the Widows of Freemen residing at the same Place, under such Regulations and in such Manner as the said Court of Master, Wardens, and Assistants in and by any Rules or Bye Laws to be made by them, and altered or allowed as hereinafter is mentioned, shall direct.

XLIX. And be it further enacted, That if any Person or Persons shall request the said Justices acting in and for the Corporation, Villages, and Parishes of *Gravesend* and *Milton*, or either of them, to grant Permission to any Freeman of the said Company, or any Apprentice not licensed as aforesaid, to work for him, her, or them on a *Sunday*, it shall be lawful for the said Justices, or either of them, by Writing under his Hand, to grant such Permission to such Freeman or Apprentice to work for the Person or Persons making such Request, and such Freeman or Apprentice shall and may retain the Fares or Sums of Money to be received by him in respect thereof for his own Benefit, or the Benefit of his Master or Mistress.

L. And be it further enacted, That if any Freeman of the said Company, or any Apprentice, (without having such Licence or Permission as aforesaid from the said last-mentioned Justices, or either of them) shall ply or work at *Gravesend* on any *Sunday*, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LI. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall maintain or erect and set up, or cause

Justices at
Gravesend to
license Water-
men to work on
Sundays.

Application of
Fares received
at Gravesend on
Sundays.

Permission may
be granted to
other Watermen
to work on
Sundays for
Persons re-
questing.

Penalty on
other Watermen
working at
Gravesend on
Sunday.

Court to set up
Bells at Bil-

cause to be maintained or erected and set up, proper Bells, the one at *Billingsgate* in the City of *London*, and the other on such Part of the Town Quay of *Gravesend* as the Mayor, Jurats, and Common Council of *Gravesend* may appoint, and which they are hereby required to do, for the Purposes hereinafter mentioned; and shall cause the said Bells at all Times hereafter to be kept in good and sufficient Repair and Order; and shall appoint proper Officers to ring the said Bell at *Billingsgate* at every Time of High Water at *London Bridge*, and to ring the said Bell at *Gravesend* at every Time of the First of Flood there; and if the said Court shall neglect to provide or maintain such Bells, or to appoint such Officers, they shall forfeit and pay for every such Offence the Sum of Fifty Pounds, the whole whereof shall go to the Person or Persons who shall inform or sue for the same, and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Imparance, shall be allowed.

lingsgate and Gravesend, to give Notice of the Tide, and to appoint Officers to ring the same.

LII. And be it further enacted, That the Officers appointed as aforesaid for such Places respectively shall give their constant Attendance, as well by Night as by Day, at *Billingsgate* and *Gravesend* respectively, at every Time of High Water at *London Bridge*, and at *Gravesend* at every Time of the First of Flood there; and such Officer or Officers shall, as nearly as possible, at every such Time respectively, at each of the said Places respectively, ring the Bell to be provided for that Purpose as aforesaid, and shall continue ringing the same for Fifteen Minutes, to give Notice to the respective Owners, Masters, or Managers of Boats and Wherries, who design to pass between *London* and *Gravesend* by that Tide, to put off and set forward; and every Officer who shall neglect to ring the said Bells respectively at the Time aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Officers to ring such Bells at *London* and *Gravesend* at the Times appointed.

LIII. And be it further enacted, That if after the ringing of such Bell as aforesaid at *Billingsgate* or *Gravesend*, any such Boat designing to go by that Tide from one to the other of the said Places shall not immediately depart, and effectually proceed, without lying by in the River, or putting again on Shore within Two Miles of the said respective Places of *Billingsgate* or *Gravesend*, as the Case may be, for the taking in any Goods, Passenger or Passengers, or if any such Boat shall not be provided with Two sufficient Men besides Apprentices during the whole of the said Voyage, then and in every such Case the Owner, Master, or Manager of any such Boat shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty if Boats do not go on the ringing of the Bell.

LIV. And be it further enacted, That if any Waterman navigating, working, or rowing in or belonging to any Vessel or Boat navigated, worked, or rowed between *London* and *Gravesend*, shall wilfully or negligently lose the Tide, by putting on Shore for the taking in of any other Passenger or Passengers or Goods, or by loitering on the Voyage or by the Way, or if the Passengers, or any of them, of any such Vessel or Boat, shall be put out or landed short of the Place to which such Vessel or Boat shall have been bound,

Watermen losing their Tide to be subject to a Penalty, and not entitled to their Fare.

bound, (Sailing Vessels detained by want of Wind only excepted,) then and in every such Case such Passengers or Passenger are hereby discharged from paying their or his respective Passage Money, and the Waterman so offending shall forfeit and pay for every such Offence any Sum of Money not exceeding Forty Shillings, and shall also be liable to be sued or prosecuted at Law by the Party injured, in such Manner as if no Penalty had been inflicted by this Act.

The Court empowered to regulate the Affairs of the Company.

LV. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall have full Power to superintend, regulate, and controul all the Affairs and Concerns of the said Company, and to order and dispose of the Custody of their Common Seal, and the Use and Application thereof.

Court may make Bye Laws.

LVI. And be it further enacted, That it shall be lawful for the said Court of Master, Wardens, and Assistants, and they are hereby empowered from time to time to make and set down in Writing such Rules or Bye Laws as they shall think proper for the good Government of the said Company, and for determining the Fees which shall be taken on the binding of Apprentices, and the Assignment of them, and the Admission of Members, and on other Occasions, for the better Maintenance of the Company, and the Quarterage or other Sums to be paid by the Freemen, and for regulating the Freemen of the said Company, and their Widows and Apprentices, and the Boats or other Craft to be worked or rowed by them within the Limits of this Act, and to annex reasonable Penalties and Forfeitures for the Breach of such Rules or Bye Laws respectively, not exceeding the Sum of Five Pounds for any One Offence, provided the same Rules or Bye Laws be not inconsistent with any of the Laws of this Kingdom, or the Provisions and Directions in this Act contained, or any of them, or any Rules or Bye Laws to be made by the said Court of Mayor and Aldermen by virtue of this Act, or any of them; and also from time to time to alter, amend, repeal, or make void such Rules or Bye Laws, or any of them, as to the said Court of Master, Wardens, and Assistants, in their Discretion shall seem meet, so as after the making, altering, amending, or repealing thereof respectively, the Rules or Bye Laws to be made by the said Court of Master, Wardens, and Assistants, and every such Alteration, Amendment, and Repeal, be approved or altered, from time to time, by the said Court of Mayor and Aldermen, and also after every such Approval be allowed as hereinafter is mentioned.

Court of Aldermen empowered to make Bye Laws, and alter Bye Laws made by the Court of the Company.

LVII. And be it further enacted, That it shall be lawful for the said Court of Mayor and Aldermen, and they are hereby empowered from time to time to make and set down in Writing such Rules and Bye Laws as they shall think proper, for the Government and Regulation of the Freemen of the said Company, and their Widows and Apprentices, and the Boats, Vessels, and other Craft to be rowed or worked within the Limits of this Act, and to annex reasonable Penalties and Forfeitures for the Breach of such Rules and Bye Laws respectively, not exceeding the Sum of Five Pounds for any One Offence, provided the same Rules or Bye Laws be not inconsistent with any of the Laws of this Kingdom, or the Provisions and Directions in this Act contained, or any of them;

them; and also from time to time to alter, amend, repeal, or make void such Rules and Bye Laws, or any of them, or any Rules or Bye Laws which shall have been made at any Time or Times by the said Court of Master, Wardens, and Assistants, and approved and allowed as hereinbefore and hereinafter is mentioned, so as after the making, altering, amending, or repealing thereof respectively, the said Rules and Bye Laws to be made by the said Court of Mayor and Aldermen, and every such Alteration, Amendment, and Repeal of any such Rules or Bye Laws, or of any Rules or Bye Laws to be made, altered, or amended by the said Court of Master, Wardens, and Assistants, and approved, altered, or repealed by the said Court of Mayor and Aldermen, be allowed as hereinafter is mentioned.

LVIII. And be it further enacted, That no Rules or Bye Laws made by the said Court of Master, Wardens, and Assistants, and approved or altered by the said Court of Mayor and Aldermen, nor any Rules or Bye Laws made by the said Court of Mayor and Aldermen, by virtue of this Act, nor any Alteration, Amendment, or Repeal thereof, shall be valid, unless the same respectively shall have been allowed by His Majesty's Justices of His Courts of King's Bench or Common Pleas, or the Barons of His Majesty's Court of Exchequer, or any One or more of the said Justices or Barons; and they or any One or more of them are and is hereby required, on any Request to be made for that Purpose from time to time to them or any One or more of them, by or on behalf of the said Court of Mayor and Aldermen, to peruse and examine, without any Fee or Reward, such Rules and Bye Laws as shall be made, altered, amended, or repealed by the said Court of Master, Wardens, and Assistants, and approved of by the said Court of Mayor and Aldermen, and such Rules and Bye Laws as shall be made, altered, amended, or repealed by the said Court of Mayor and Aldermen, in pursuance of this Act, and to allow or refuse to allow the same, as they or any One or more of them shall from time to time think fit.

Bye Laws to be allowed by One or more of the Judges.

LIX. Provided nevertheless, and be it further enacted, That when and as often as any Rules or Bye Laws shall be made or altered by the said Court of Mayor and Aldermen as aforesaid, a Copy of such intended Rules and Bye Laws, or Alterations, shall be sent to and left with the Clerk for the Time being of the said Company, for the Perusal of the said Court of Master, Wardens, and Assistants, at least Thirty Days before the same shall be allowed by the Justices and Barons aforesaid, or any One or more of them as aforesaid, in order that the said Court of Master, Wardens, and Assistants may submit to the Consideration of the said Court of Mayor and Aldermen their Objections (if any) to such intended Rules and Bye Laws, or Alterations; and in case the said Court of Master, Wardens, and Assistants shall not be satisfied with the Determination of the said Court of Mayor and Aldermen, in consequence of any such Objections respectively, then the said Court of Master, Wardens, and Assistants may submit such Objections to the Consideration of the said Justices or Barons, or any One or more of them, who shall have been requested as aforesaid to peruse and examine the same, before such intended Rules, Bye Laws, or Alterations shall be allowed as aforesaid.

Court of Aldermen to send Copy of intended Bye Laws and Alterations to Watermen's Company 30 Days before allowed by the Judges, that the Company may submit their Objections, &c.

LX. And

Bye Laws of the Court of the Company, and also of the Court of Aldermen, to be made public.

LX. And be it further enacted, That all Rules and Bye Laws to be from time to time made, altered, or amended, by the said Court of Master, Wardens, and Assistants, in pursuance of this Act, and also all Rules and Bye Laws to be from time to time made, altered, or amended by the said Court of Mayor and Aldermen, in pursuance of this Act, within Thirty Days after the same respectively shall have been allowed and approved of by the said Justices and Barons, or any One or more of them, as hereinbefore is mentioned, shall be printed and sent to the several Public Offices established by Authority of Parliament for the Administration of Justice in the Counties of *Middlesex* and *Surrey*, to the Town Clerk of *Gravesend* and *Milton*, and also to the several Clerks of the Peace of the said Counties and Places adjoining to the River *Thames*, to be published in such Manner as the Court of Quarter Sessions in those Counties shall direct, and also be made public in such other Manner as the said Court of Mayor and Aldermen shall think proper, and from time to time order and direct.

Court of Aldermen to fix Fares for Watermen.

LXI. And be it further enacted, That it shall be lawful for the said Court of Mayor and Aldermen, and they are hereby empowered from time to time, at their Discretion, to limit and fix the Price or Fare that every Freeman of the said Company, or Apprentice of a Freeman, or of a Widow of a Freeman of the said Company, shall take or be entitled to for his Labour in conveying any Person or Persons, in a Wherry or other Boat, from Place to Place on the said River within the Limits of this Act, and also from time to time to alter such Prices or Fares, or any of them; and shall lay or cause a List of such Prices or Fares to be laid before His Majesty's Privy Council, to be seen and examined by some of the said Privy Council, who shall allow or refuse to allow of the same, as they shall think proper, and such Allowance shall be signified under the Hands of Three of the said Privy Council at the least; and no Fares or Prices, or any Alteration therein, shall be valid, until the same shall have been allowed as aforesaid.

List of Fares to be allowed by Privy Council.

Penalty on demanding more than the Fare.

LXII. And be it further enacted, That every Freeman of the said Company, and every Apprentice of a Freeman, or of the Widow of a Freeman, who shall demand and take for his or their Labour or Fare, within the Limits of this Act, more than the said Prices or Sums to be limited and fixed by the said Court of Mayor and Aldermen, and allowed as aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

List of Fares to be advertised and made public.

LXIII. And be it further enacted, That the said Court of Mayor and Aldermen shall cause a List of the Fares or Prices to be from time to time limited or fixed as aforesaid, within Thirty Days next after the same, or any Alteration therein, shall have been allowed by Three or more of the Privy Council as aforesaid, to be advertised in the *London Gazette* and Two *London Newspapers*, and also to be printed and sent to the several Public Offices established by Authority of Parliament for the Administration of Justice in the Counties of *Middlesex* and *Surrey*.

List of Fares to be put up at certain Flying Places between

LXIV. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall cause a List of such of the Fares and Prices, to be from time to time limited or fixed, and

adver-

advertised as aforesaid, as they shall think proper, to be painted on Boards in legible characters, of such Height and Size, and set up or affixed at or near such of the Plying Places within the Limits of this Act, in such Situations and in such Manner as the said Court of Mayor and Aldermen shall from time to time direct; and shall also cause Posts or Piles to be placed or driven in or near the Banks or Sides of the said River *Thames*, between *Chelsea Bridge* and *Teddington Lock*, and between *Greenwich Hospital Stairs* and *Woolwich*, and at such other Places, within the Limits of this Act as the said Court of Mayor and Aldermen shall from time to time direct, at the Distance of Half a Mile from each other, with Letters and Figures thereon denoting the Distance of every such Post or Pile from *Chelsea Bridge* or *Greenwich Hospital Stairs* respectively, such Letters and Figures to be not less than Four Inches long, and broad in proportion, and to be made of Cast Iron, raised on an Iron Plate, or in such other Manner, and to be erected in such Situations, as the said Court of Mayor and Aldermen shall from time to time direct; and the said Court of Master, Wardens, and Assistants, shall from time to time repair and renew such Boards and Posts or Piles, and keep and continue legible the List of Fares, and Letters and Figures thereon respectively; and if the said Court shall neglect to set up or affix such Board at any Plying Place at which the same shall be directed to be set up or affixed, or to place or drive any such Post or Pile as aforesaid, or shall not, within Fourteen Days after Notice in Writing from any Person or Persons, directed to the said Court, shall be left with the Clerk of the said Company, or at Waterman's Hall, that any such Board, Post, or Pile has been destroyed or removed, or the List, Letters, or Figures, or any such Board, Post, or Pile, has been defaced or become illegible, renew or repair, or render the same legible, (as the Case may require,) the said Court for every such Offence shall forfeit and pay the Sum of Twenty five Pounds, the Whole whereof shall go to the Person or Persons who shall inform or sue for the same; and if any Person or Persons shall wilfully break, cut down, pull up, or damage any such Board, Post, or Pile, or obliterate, deface, spoil, or destroy all or any or any Part of the List, Letters, Figures, or Marks which shall be painted or affixed thereon, he or they, being thereof lawfully convicted, shall be deemed guilty of a Misdemeanor, and be liable to such Punishment as in Cases of Misdemeanors, at the Discretion of the Court before whom such Offender shall be tried and convicted; and on the Conviction of every such Offender the said Court of Master, Wardens, and Assistants shall pay a Sum of Twenty Pounds as a Reward to the Person or Persons who shall inform of such Offence, and also pay all the Costs in or relating to the Prosecution of such Offender or Offenders; and any Penalty hereby inflicted on the said Court for not setting up, affixing, or placing, or renewing any such Board, Post, or Pile as aforesaid, or repairing or rendering legible any List, Letters or Figures thereon respectively as aforesaid, and any Reward and Costs payable by the said Court, may respectively be recovered by Action of Debt, Bill, Plaint, or Information, against the said Master, Wardens, and Commonalty, in any of His Majesty's Courts of Record at *Westminster*, with

Chelsea Bridge and Greenwich, and also Half Mile Posts or Piles westward of Chelsea Bridge and eastward of Greenwich.

Expences of
Boards and
Posts to be
defrayed by a
Quarterage.

with full Costs of Suit, wherein no *Essoign*, *Privilege*, *Protection*, *Wager of Law*, or more than One *Impar lance*, shall be allowed.

LXV. And be it further enacted, That for providing a Fund to defray the Expences of erecting and maintaining the said Boards with the Fares painted thereon, and the Posts and Piles denoting Distances, and the Payment of Rewards and Costs on the Conviction of Offenders, it shall be lawful for the said Court of Master, Wardens, and Assistants to fix and appoint, from time to time, a Quarterage or Sum of Money, not exceeding in Amount the Sum of Four Shillings in any Year, to be paid by every Freeman of the said Company at Waterman's Hall, at the same Time as any Quarterage for the Maintenance of the said Company shall be payable; and if any Freeman of the said Company shall neglect or refuse to pay such Quarterage or Sum of Money for the Space of Three Calendar Months next after the Time to be appointed for Payment thereof, such Freeman shall be disfranchised, and shall not be allowed to work, row, or navigate any Wherry, Boat, or other Vessel, or to enjoy any of the Privileges of a Freeman of the said Company, until he shall have paid all Arrears thereof.

Watermen to
carry a List of
Fares and Bye
Laws.

LXVI. And be it further enacted, That the said Court of Master, Wardens, and Assistants shall cause a List of the Fares limited or fixed and allowed from time to time as aforesaid, together with such (if any) of the Provisions contained in this Act, and of the Bye Laws for the Time being made or altered by the said Court, and by the said Court of Mayor and Aldermen, or either of them, relating to the Conduct of the Watermen when plying for Hire, as the said Court of Mayor and Aldermen shall think proper, to be printed on a Card, or otherwise, as the same Court shall think fit and direct, and shall cause a Copy thereof to be given *gratis* to every Freeman of the said Company, upon Payment of his Quarterage, and shall furnish Copies thereof to every such Freeman upon Payment of the Sum of One Shilling for a Dozen Copies, and so in proportion for a less Number; and every Freeman or Apprentice shall have a Copy thereof in his Boat; and if any Freeman or Apprentice shall not be able, or shall refuse to produce the same to any Person by whom a Fare shall be payable, or shall produce a false Copy thereof, or shall not permit such Person to examine the same, then and in any such Case every such Person or Passenger is hereby discharged from paying his or her respective Fare or Passage Money; and the Freeman or Apprentice so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on
Watermen
avoiding or
refusing to take
a Fare;

LXVII. And be it further enacted, That if any Freeman of the said Company, or any Apprentice, who is or shall be at any Stairs or Plying Place within the Limits of this Act, shall wilfully avoid or attempt to avoid any Fare, or Passenger or Passengers coming to or being at such Stairs or Plying Place for the Purpose of taking a Boat or Wherry, or shall omit or neglect to ply, or refuse or omit to take such Fare or Passenger or Passengers inquiring for or desirous of taking such Boat or Wherry, or shall say or represent that he is hired or engaged, when he is not so hired or engaged, or shall not answer when called by the Number or Numbers of his or their Boat or Wherry; then and in any such

such Case every such Freeman or Apprentice so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LXVIII. And be it further enacted, That if any Freeman of the said Company, or any Apprentice, shall ply any Fare, or Passenger or Passengers, and afterwards refuse to take such Fare, or Passenger or Passengers, to such Place or Places as he, she, or they shall direct, or shall unnecessarily delay any Fare, or Passenger or Passengers, by not bringing up his Boat or Wherry for the Fare, or Passenger or Passengers, to get into the same, or shall continue at the Stairs or Causeway after such Fare, or Passenger or Passengers, is or are in his Boat or Wherry, or shall not proceed with due Diligence and Exertion, and without wilful Let or Hinderance, to such Place or Places as the said Fare, or Passenger or Passengers, shall lawfully direct; then and in every such Case every such Freeman or Apprentice so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

or having plied any Fare, shall refuse or delay to proceed as directed.

LXIX. And be it further enacted, That if any Freeman of the said Company, or any Apprentice, or any other Person whomsoever, shall refuse to permit or suffer any Person or Persons to read, or shall in anywise hinder any Person or Persons from reading the Name and Number painted on any Wherry, Boat, or Vessel as aforesaid, or if any such Freeman or Apprentice shall refuse to tell his Christian or Surname, or the Number of his Boat, to any Person or Persons who shall demand the same, on being paid any Fare or Price, or shall in answer to such Demand give a false Name or Names, or Number, or shall make use of any scurrilous or abusive Language to any Passenger or Person; then and in every such Case every such Freeman or Apprentice, and other Person so offending, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty on Watermen preventing Persons reading the Names or Numbers, or refusing to state their Names, or using abusive Language.

LXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to abridge or alter any of the Powers or Authorities vested in the Master, Wardens, and Assistants of the Trinity House of *Deptford Strond*, in and by an Act of Parliament made and passed in the Eighth Year of the Reign of Queen *Elizabeth*, intituled *An Act concerning Sea Marks and Mariners*; nor shall any Mariner or Mariners licensed or to be licensed by the said Master, Wardens, and Assistants of the Trinity House to row or use any Boat or Wherry on the said River *Thames*, or any of the Men employed by the said Master, Wardens, and Assistants of the Trinity House, in rowing or using any Ballast Lighters or Boats on the said River, be subject, by reason of any Matter, Clause, or Thing herein contained, to the Rules, Orders, or Government of the said Court of Mayor and Aldermen, or of the said Master, Wardens, and Assistants of the said Company, or to any Penalty imposed by this Act, except as hereinafter is mentioned.

Saving the Powers of the Master, &c. of the Trinity House, in licensing Mariners.

LXXI. Provided always, and be it further enacted, That the said Master, Wardens, and Assistants of the Trinity House of *Deptford Strond* shall have such and the like Power and Authority to make and set down in Writing, alter, amend, repeal, and make void, Rules and Bye Laws for the Government and Regulation of

Corporation of the Trinity House to have the same Power to make Bye Laws for their

Mariners, as is vested in the Court of Aldermen with respect to Watermen.

of the Mariners licensed or to be licensed by them, and the Men employed by them on the said River, and the Boats, Vessels, and other Craft to be rowed and worked by such Mariners and Men, as is hereinbefore given to the said Court of Mayor and Aldermen with respect to the Government and Regulation of the Freemen of the said Company, and their Widows and Apprentices; and such Rules or Bye Laws shall be approved or altered, and advertised, in the like Manner as is hereinbefore required with respect to the Rules or Bye Laws to be made by the said Court of Mayor and Aldermen.

Copy of intended Bye Laws and Alterations of the Trinity House to be sent to the Town Clerk of London and the Watermen's Company 30 Days before allowed by the Judges.

LXXII. Provided nevertheless, and be it further enacted, That when and as often as any Rules or Bye Laws shall be made or altered by the said Master, Wardens, and Assistants of the Trinity House as aforesaid, a Copy of such intended Rules and Bye Laws, or Alterations, shall be sent to and left with the Town Clerk of the City of *London*, or at his Office, and another Copy thereof with the Clerk for the Time being of the said Company, or at Waterman's Hall, for the Perusal of the said Court of Mayor and Aldermen, and the said Court of Master, Wardens, and Assistants respectively, at least Thirty Days before the same shall be allowed by the Justices or Barons aforesaid, or any One or more of them as aforesaid, in order that the said Court of Mayor and Aldermen, and the said Court of Master, Wardens, and Assistants, or either of them, may submit their Objections (if any) to such intended Rules and Bye Laws, or Alterations, to the Consideration of the said Justices or Barons, or any One or more of them, who shall have been requested as aforesaid to peruse and examine the same, before such intended Rules, Bye Laws, or Alterations shall be allowed as aforesaid.

Mariners licensed by the Trinity House to be limited to the same Fares as Watermen.

LXXIII. Provided always, and be it further enacted, That the Prices or Fares to be limited and fixed by the said Court of Mayor and Aldermen, and allowed and advertised as aforesaid, shall be binding upon the Mariners licensed or to be licensed by the said Master, Wardens, and Assistants of the said Trinity House; and they shall be subject to the like Penalties for demanding and taking more than such Prices or Fares as are hereby inflicted on the Freemen of the said Company for the like Offence.

Lord Mayor, Aldermen, &c. may summon and apprehend Watermen and others, and punish them by Fine or Imprisonment.

LXXIV. And be it further enacted, That in case any Freeman of the said Company, or any Apprentice or other Person or Persons, shall offend against this Act, or any Rules or Bye Laws which shall be made by the said Court of Mayor and Aldermen, or by the said Court of Master, Wardens, and Assistants, or by the Master, Wardens, and Assistants of the said Trinity House, and respectively approved in pursuance of this Act, it shall be lawful for the said Lord Mayor, Recorder, or any One Alderman of the said City of *London*, or for any Justice of the Peace for the respective Counties and Places next adjoining to the said River of *Thames*, at and between *Yantlet Creek* and *Windsor*, and every of them, within his several and respective Jurisdiction, and for any Justice of the Peace acting in and for the Corporation, Villages, and Parishes of *Gravesend* and *Milton* within his Jurisdiction, (which shall include for the Purposes of this Act any Part of the said River between *Broadness Point* in the *Northfleet Hope*, in the said County of *Kent*, and *Yantlet Creek* aforesaid,)

said,) and he respectively is hereby required, upon Complaint made of any such Offence or Misbehaviour committed within his said respective Jurisdiction, within Thirty Days after the Commission of any such Offence or Misbehaviour, to cause the Offender or Offenders to be summoned personally, or by leaving such Summons at his, her, or their last or usual respective Place of Abode, to appear and answer the said Complaint; and if any Freeman, Apprentice, or other Person, being duly summoned as aforesaid, shall refuse or neglect to appear and answer to any Complaint or Complaints made against him, her, or them, for any Offence or Offences committed by him, her, or them against this Act, or the said Rules or Bye Laws, or any of them, it shall be lawful for the said Lord Mayor, Recorder, Alderman, or Justice respectively, in his respective Jurisdiction as aforesaid, to issue his Warrant for apprehending such Freeman, Apprentice, or other Person, upon Oath being made of the Service of such Summons, and to cause the Party so offending or misbehaving to be brought before him; and the Party accused being before such Lord Mayor, Recorder, Alderman, or Justice respectively, either by means of such Summons or of such Warrant or Warrants as aforesaid, he respectively is hereby authorized and required to examine upon Oath the Complainant, or any Witness or Witnesses, touching such Offence or Misbehaviour; and if the Party or Parties accused shall be convicted of any such Offence or Misbehaviour, either by his, her, or their own Confession, or by the Oath, or Affirmation, if a Quaker, of the Complainant, or of One or more credible Witness or Witnesses, it shall be lawful for the said Lord Mayor, Recorder, Alderman, or Justice respectively, to impose a Fine upon such Offender or Offenders for the said Offence, not exceeding the Penalty or Penalties inflicted or to be inflicted by this Act, or the said Rules or Bye Laws to be made and approved of as aforesaid, or any of them; and if the Person or Persons so convicted shall not forthwith pay the Penalty or Forfeiture so imposed upon him, her, or them, it shall be lawful for the said Lord Mayor, Recorder, Alderman, or Justice, and he is hereby required, by Warrant under his Hand and Seal, to cause the same to be levied, together with the Costs attending the Information, Summons, Warrant, and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, and the Overplus (if any) after such Penalty or Forfeiture and Costs, and the Charges of such Distress and Sale, are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Penalty or Forfeiture and Costs shall not be forthwith paid upon Conviction, then it shall be lawful for such Lord Mayor, Recorder, Alderman, or Justice, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Lord Mayor, Recorder, Alderman, or Justice, for his or their Appearance on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Lord Mayor, Recorder, Alderman, or Justice, is hereby empowered to take

take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Lord Mayor, Recorder, Alderman, or Justice, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the City, County, Liberty, or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, unless such Penalties and Forfeitures and Costs, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Constables not to take Watermen, &c. out of their Boats, till moored.

LXXV. Provided also, and be it further enacted, That no Constable or other Officer shall, by virtue of any such Warrant, apprehend or take any Freeman, or Apprentice, or Mariner, out of any Boat or Craft which they respectively may happen to be on board of, rowing or navigating, until such Boat or Craft shall be safely moored, unless there shall be sufficient Hands on board to row or navigate or take care thereof; and Notice of this Provision shall be inserted in every such Warrant, for the Information of the Constable or other Officer who may have the Execution thereof.

Lord Mayor, &c. to summon Persons refusing to pay their Fare, and order Payment, &c.

LXXVI. And be it further enacted, That if any Person or Persons shall refuse to pay any Freeman of the said Company, or any Apprentice, or any Mariner licensed or to be licensed by the said Corporation of Trinity House as aforesaid, the Money justly due to him or them for carrying any such Person or Persons in his Boat or Boats, according to the Fares or Prices which shall be fixed, allowed, and published as aforesaid, it shall be lawful for the said Lord Mayor, Recorder, or any Alderman or Justice as aforesaid, within whose Jurisdiction as aforesaid such Refusal shall be made, and he is hereby required, upon Complaint made of any such Refusal, to summon such Person or Persons to answer the said Complaint, by causing such Summons to be served personally, or by leaving the same at his, her, or their last or usual respective Place of Abode; and if any Person or Persons, being duly summoned as aforesaid, shall refuse or neglect to appear and answer to any Complaint or Complaints made against him, her, or them, for refusing any such Payment as last hereinbefore is mentioned, it shall be lawful for the said Lord Mayor, Recorder, Alderman, or Justice respectively, in his respective Jurisdiction as aforesaid, and he is hereby required to issue his Warrant for apprehending such Person or Persons, upon Oath being made of such his, her, or their Refusal as aforesaid, and Service of such Summons, and to cause the Party or Parties so offending to be brought before him or them; and the Party or Parties accused being before such Lord Mayor, Recorder, Alderman, or Justice respectively, either by means of such Summons or of such Warrant as last hereinbefore is mentioned, he respectively is hereby authorized and required, upon due Proof made of such Refusal of Payment unto any Freeman or Apprentice, or Mariner, of the Money justly due to him for carrying the Person or Persons accused in his Boat or Boats, upon Oath, or upon Confession of the Party or Parties, to order Payment of such Sum or Sums of Money

Money which any such Freeman or Apprentice, or Mariner, shall appear to be entitled to, and also to award reasonable Satisfaction to be made to him or them for his or their Loss of Time and Costs, in the Discretion of the said Lord Mayor, Recorder, Alderman, or Justice respectively; and if the said Person or Persons so offending shall not pay such Sum or Sums of Money, and make such reasonable Satisfaction (if awarded) as aforesaid, it shall be lawful for the said Lord Mayor, Recorder, Alderman, or Justice respectively, to commit the Person or Persons so refusing to some Prison within the said City of *London*, or the said several Counties or Places adjoining to the said River of *Thames*, there to remain for any Space of Time not exceeding One Calendar Month, unless the Sum or Sums of Money ordered and awarded as aforesaid shall be sooner paid.

LXXVII. And be it further enacted, That if any Person or Persons shall refuse to pay any such Freeman or Apprentice, or Mariner, the Money demanded by him or them for carrying any such Person or Persons in his or their Boat or Boats, and shall also refuse to give to such Freeman or Apprentice, or Mariner, upon Demand, the Name or Names, Place or Places of Abode of him, her, or them so refusing, or instead thereof shall wilfully give any false Name or Names, Place or Places of Abode, for the Purpose of preventing him, her, or them from being summoned as aforesaid, every Person refusing to make such Payment, or to give his or her real Name or Place of Abode, or giving such false or fictitious Name or Place of Abode as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and such Offender or Offenders shall or may thereupon be summoned and otherwise proceeded against, not only for the Recovery of the Money justly due to such Freeman or Apprentice, or Mariner, and reasonable Satisfaction for his or their Loss of Time and Costs, but also for enforcing the Payment of the Penalty or Forfeiture lastly hereinbefore inflicted, in such and the same Manner and in all respects as is hereinbefore mentioned and directed for the Recovery of Money due to any Freeman or Apprentice, or Mariner, for carrying any Person in his Boat, and of such reasonable Satisfaction as aforesaid.

Persons refusing to give their Names, or giving fictitious Names, to be punished.

LXXVIII. And be it further enacted, That every Lord Mayor, Recorder, Alderman, or Justice, before whom any Person shall be convicted of any Offence against this Act, or any such Rules or Bye Laws as aforesaid, may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect; (that is to say),

Form of Conviction by Lord Mayor, &c.

‘ to wit. { BE it remembered, That on the Day of
‘ in the Year of our Lord A. B. is con-
‘ victed before me [as the Case may be] Lord Mayor, Recorder,
‘ or Alderman of the City of *London*, or One of His Majesty’s
‘ Justices of the Peace for the County, or incorporated Villages
‘ and Parishes of *Gravesend* and *Milton*, for [here set forth the
‘ Offence] contrary to an Act passed in the Eighth Year of the
‘ Reign of King *George* the Fourth, intituled [here set forth the
‘ Title of this Act], or some Rule or Bye Law made as therein is
‘ mentioned; and I do adjudge him to pay and forfeit for the
‘ same

solemn Affirmation by any of the People called *Quakers*, as the Case may require.

Freemen may
be Witnesses.

LXXXIV. And be it further enacted, That in case of any Information, Complaint, Dispute, Suit, or Litigation, in anywise relating to any Offence against this Act, any Freeman of the said Company, or the Apprentice of any Freeman, shall be competent to give Evidence thereon.

For compelling
the Attendance
of Witnesses.

LXXXV. And be it further enacted, That if any Person who shall be summoned as a Witness to give Evidence before any Lord Mayor, Recorder, Alderman, or Justice, or any Master, Wardens, or Assistants, respecting any Matter of Fact relating to any Information or Complaint for any Offence against this Act, or any such Rules or Bye Laws as aforesaid, either on the Part of the Prosecutor or the Person or Persons accused, shall, after a reasonable Sum for his or her Costs shall have been paid or tendered to him or her, refuse or neglect to appear at the Place and Time by such Summons appointed, without a reasonable Excuse for such Neglect or Refusal, such Person or Persons shall forfeit for every such Neglect or Refusal any Sum not exceeding Forty Shillings.

Justices may
proceed by
Summons in
the Recovery of
Penalties.

LXXXVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture imposed is made recoverable by Information before any Lord Mayor, Recorder, Alderman, or Justice, or Master, Wardens, or Assistants, it shall be lawful for such Lord Mayor, Recorder, Alderman, or Justice, or Master, Wardens, or Assistants, respectively, to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him the said Lord Mayor, Recorder, Alderman, or Justice, or Master, Wardens, or Assistants, respectively, and on such Summons to hear and determine the Matter of such Complaint; and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Lord Mayor, Recorder, Alderman, or Justice, or Master, Wardens, or Assistants; and all such Proceedings by Summons, without Information, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Distress not
unlawful for
Want of Form.

LXXXVII. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, Warrant of Distress, or any Proceeding relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed in making the Distress.

Application of
Penalties.

LXXXVIII. And be it further enacted, That all Penalties and Forfeitures which shall be levied or recovered and received in pursuance and by virtue of this Act, shall be paid to the said Court of Master, Wardens, and Assistants of the said Company for the Time being, or to the Clerk of the said Company at their Hall, within One Week after the same shall be levied; and One Half thereof shall be applied in or towards the Fund directed to be provided

vided to defray the Expences of erecting and maintaining Boards, Posts, and Piles, and the Payment of Rewards and Costs as aforesaid, and the Surplus (if any) of the said Half, after deducting so much as shall be necessary for the Purposes of the said Fund, and the Whole of the other Half thereof, shall be paid and distributed to the poor, aged, and decayed Freemen of the said Company and their Widows, except only that it shall be lawful for the said Lord Mayor, Recorder, Aldermen, or Justices, Master, Wardens, or Assistants, respectively, before whom any Offender or Offenders shall be convicted, out of the said Forfeitures and Penalties to reward any Person or Persons who shall inform of any Offence or Offences against this Act, or the said Rules or Bye Laws to be made and approved of as aforesaid, according to the Discretion of such Lord Mayor, Recorder, Aldermen, or Justices, Master, Wardens, or Assistants, respectively, so as such Reward exceed not One Half Part of the respective Penalties or Forfeitures.

LXXXIX. And be it further enacted, That from and after the said First Day of *August* next after the passing of this Act, if any Person or Persons shall do or commit any Damage, Injury, or Spoil to or upon any Lighter, Barge, Boat, Wherry, or other Vessel or Craft within the Limits of this Act, and shall be thereof convicted within Three Months next after the committing of such Injury, before the said Lord Mayor, Recorder, or any Alderman or Justice within whose Jurisdiction as aforesaid such Offence shall have been committed, either by the Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses, or of the Party aggrieved in the Premises, every Person so offending, and being thereof convicted as aforesaid, shall forfeit and pay to the Person aggrieved such a Sum of Money as shall appear to such Lord Mayor, Recorder, Alderman, or Justice, to be a reasonable Satisfaction and Compensation for the Damage, Injury, or Spoil so committed, not exceeding in any Case the Sum of Five Pounds, which said Sum of Money shall be paid to the Person or Persons aggrieved; but in case such Conviction shall take place on the sole Evidence of the Party aggrieved, then and in such Case such Satisfaction and Compensation shall be paid to the Overseer or Overseers of the Poor of the Parish, Township, or Place where the Offence was committed; and in default of Payment of the Sum of Money in which the Offender or Offenders shall have been so convicted as aforesaid, immediately, or within such Time as such Lord Mayor, Recorder, Alderman, or Justice shall appoint at the Time of Conviction, together with all Costs, Charges, and Expences attending the Conviction, such Lord Mayor, Recorder, Alderman, or Justice shall and may commit such Offender or Offenders to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty, Costs, and Charges, shall be sooner paid and satisfied.

Justices may award Satisfaction for Damages done to any Boat or Craft not exceeding 5*l*.

XC. Provided also, and be it further enacted, That if any Person or Persons shall think, himself, herself, or themselves aggrieved by any Conviction of the said Lord Mayor, Recorder, or any Alderman or Justice, or any of the said Master, Wardens, and Assistants, respectively, on account of any Offence committed or supposed to have been committed against this Act, or against

Persons aggrieved may appeal to the Quarter Sessions.

any of such Rules or Bye Laws as aforesaid, such Person or Persons may appeal to the Justices of the Peace at the next General or Quarter Sessions to be holden for the Place where such Cause of Appeal shall arise, or if such Sessions shall be holden within Ten Days after such Conviction, then such Person or Persons may appeal either to such next General or Quarter Sessions, or to the Sessions following such next General or Quarter Sessions, provided the Person or Persons at the Time of such Conviction shall enter into a Recognizance, with One sufficient Surety, in the Sum of Twenty Pounds, to prosecute such Appeal with Effect, and to abide by the Order or Orders which shall be made on such Appeal; and the said Justices are hereby authorized and required to take cognizance thereof, and to hear and determine such Appeal, and shall and may, if they see Cause, by Order of such Sessions, mitigate, at their Discretion, all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties appealing, or vacate or set aside the Conviction or Convictions, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and levy by their Order or Warrant such Penalties or Forfeitures and Costs awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for Want of such Distress to commit such Person or Persons to the Common Gaol for the said County or Place where the Cause of Appeal shall arise, for any Time not exceeding Two Calendar Months, or until Payment of such Penalties or Forfeitures and Costs.

Penalties may
be mitigated.

Proceedings not
to be quashed
for Want of
Form.

XCI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

Plaintiff not to
recover without
Notice, or after
Tender of
Amends.

XCII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, until Notice in Writing, signed by his, her, or their Attorney, specifying the Cause of Action, shall have been given to the Defendant or Defendants, or left at this or their usual or last Place or Places of Abode or Meeting at least Fourteen Days before the same shall have been commenced; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought, nor if such Tender of Amends shall be made after the said Action brought and before the Trial thereof, together with Costs of Suit, at the Time of such last-mentioned Tender; but on Proof of such Tender, at any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; and in case no such Tender of Amends shall have been made,

made, it shall be lawful for the Defendant or Defendants, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court, as in other Actions wherein Defendants are allowed to pay Money into Court.

XCIII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Cause of such Action shall have arisen; and every such Action or Actions shall be brought in the County, City, or Place in which the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit may, at his, her, or their Option, either plead specially or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit was brought without Fourteen Days Notice thereof having been given as aforesaid, or after sufficient Amends tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time lastly before limited, or shall be brought in any other County, City, or Place than where the Cause of Action shall have arisen, then and in any of such Cases the Jury or Juries shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or shall discontinue his or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs therein, then and in any of the Cases aforesaid the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his or their Costs in any other Cases by Law.

Limitation of Actions.

General Issue.

Double Costs.

XCIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights, Interests, Privileges, Franchises, or Authorities of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, did or might lawfully claim, use, or exercise.

Saving the Rights of the City of London.

XCV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to the lessening, taking away, abridging, hindering, prejudicing, or otherwise howsoever impeaching of any Right belonging to or lawfully claimed by the late *Charles Duke of Richmond and Lennox*, Lord of the Manor of *Gravesend*, his Heirs, Executors, Administrators, or Assigns, for the holding of a certain Court within the said Manor called *Curia Cursus Aquæ*, or the Court of the Watercourse, for the better Government of Barges, Boats, and Vessels using the Ferry or Pas-

Saving the Duke of Richmond's Right to hold a Court at Gravesend, called *Curia Cursus Aquæ*.

sage from the Town of *Gravesend* to *London*, and of the Persons owning or working the same, or of any other Rights, Liberties, Powers, and Privileges whatsoever belonging to the said late Duke, his Heirs, Executors, Administrators, and Assigns, relating to the said Ferry or Passage, or to the Barges, Tilt Boats, or other Boats and Vessels using the said Ferry or Passage, or plying at the Bridge of the said Town of *Gravesend*, or the Persons owning or working the same, or otherwise howsoever.

Saving the
Liberties of the
Inhabitants of
Gravesend.

XCVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to the lessening, taking away, abridging, hindering, prejudicing, or impeaching of any Grants, Liberties, Franchises, Customs, Privileges, or Usages, now or heretofore lawfully used, held, or enjoyed by the Mayor, Jurats, and capital Inhabitants of the Villages and Parishes of *Gravesend* and *Milton* in the County of *Kent*, touching, concerning, or relating to the Passage and Ferry upon the said River *Thames* from the said Villages and Parishes to the said City of *London*, or touching or concerning the Government of the said Passage or Ferry; but that the said Mayor, Jurats, and Inhabitants, and their Successors, shall and may do and execute all and every such lawful Act and Acts, Powers and Authorities, touching the said Passage and Ferry, and the Government thereof, as they might or could have done if this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the
Right of the
Watermen of
St. Margaret's
and of St. John's
Westminster.

XCVII. Provided always, That nothing in this Act contained shall extend to hinder or prevent the Watermen of the Parishes of *Saint Margaret* and *Saint John, Westminster*, from plying or working cross the River *Thames* from *Westminster Bridge* to *Standgate*, and from the *Horse Ferry* to *Lambeth Bridge*, on every *Sunday*, and taking the Fare of One Penny for each Passenger, in their several Turns, as they have been accustomed and used to do; and the Money earned by them or any of them on that Day, is hereby directed to be from time to time employed for the Use of the poor, aged, decayed, and maimed Watermen and their Widows, of the Parishes of *Saint Margaret* and *Saint John, Westminster*; and any Two Justices of the Peace of the said Parishes are hereby authorized from time to time to call the Watermen so working to account for the Monies by them earned on the *Sunday* as aforesaid, and cause the same to be applied and disposed of as aforesaid; and that the said Watermen of the said Parishes of *Saint Margaret* and *Saint John* for the Time being shall choose Two Stewards and a Clerk on the Twenty third Day of *April* in every Year, yearly, unless such Day shall happen to be on the Lord's Day, and in such Case on the following Day; and such Watermen of the said Parishes, or the major Part of them which shall be present at a Meeting of their Society, shall and have hereby Power to appoint such of the Watermen of the said Parishes as shall in their respective Turns work on the *Sunday* as aforesaid; and no Freeman or Apprentice shall ply or work cross the said River at either of the said Places on a *Sunday*, except the Watermen of the said Parishes, and the Watermen to be appointed by the said Master, Wardens, and Assistants of the said Company, on alternate *Sundays*.

XCVIII. Pro-

XCVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, lessen, abridge, hinder, prejudice, impeach, interfere with, or in any Manner affect any Estate, Right, Title, Interest, Liberty, Privilege, Power, or Authority, which the Commissioners of *Westminster Bridge* have or are entitled to in or in anywise relating to the Three several and respective *Sunday Ferries* across the River *Thames* from *Westminster Bridge* to *Standgate*, and from the *Horse Ferry* to *Lambeth*, and from *Millbank* to *Vauxhall*, or any or either of them, or any other Estate, Right, Title, Interest, Liberty, Privilege, Power, or Authority whatsoever, of, belonging, or in anywise appertaining to the said Commissioners, but that all Estates, Rights, Titles, Interests, Liberties, Privileges, Powers, and Authorities whatsoever, of, belonging, or in anywise appertaining to the said Commissioners, shall and may be held, used, occupied, possessed, and enjoyed by the said Commissioners in such and the same Manner in all respects, as if this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights, &c. of Commissioners of Westminster Bridge.

XCIX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to prejudice or affect the Rights and Privileges to which the Owner or Owners of any Ferry or Ferries over or across the said River *Thames*, within the Limits of this Act, are now entitled to by Law.

Saving existing Ferries.

C. Provided always, and be it further enacted, That nothing in this Act contained shall extend to interfere with, lessen, or abridge the Rights and Privileges of any Company of Proprietors of any Docks or Canals within the Limits of this Act, or any of their Officers, with respect to the Navigation in the said Docks or Canals respectively, or in anywise relating thereto.

Saving Powers of Dock Companies.

CI. And be it further enacted, That nothing in this Act contained (except the Provisions for compelling the Names of the Barge or Craft, and the Name and Place of Abode of the Owner, to be painted and preserved thereon as aforesaid) shall extend to any Western Barges; and that all flat-bottomed Boats and Barges navigated from the Town of *Kingston* in the County of *Surrey*, or any Place or Places beyond the said Town, shall be deemed Western Barges, and shall and may be navigated on the said River of *Thames* as far as *London Bridge*; and that nothing in this Act shall extend to any Ferry Boats worked or rowed at any Ferry or Ferries over or across the said River at or between the said Town of *Kingston* and any Place or Places between the same and *New Windsor* aforesaid; and no Person or Persons navigating such Western Barges or Ferry Boats as last aforesaid shall in respect thereof be subject or liable to any Penalties or Forfeitures imposed by this Act, or by any Rules or Bye Laws to be made as aforesaid, (except as aforesaid).

Saving Western Barges, and Men employed in them, and in Ferries at Kingston and above.

CII. And be it further enacted, That nothing in this Act contained shall prevent any Person or Persons from keeping, and using and rowing by their Servants, any Lighter or Lighters, or other large Craft for carrying their own Goods, provided such Servants be Freemen, or Apprentices to Freemen, or to the Widows of Freemen of the said Company.

Any Persons and their Servants, if Freemen, or Apprentices, may use Lighters;

CIII. Pro-

but not let them out for Hire, or permit others to row them, not being Freemen or Apprentices.

CIII. Provided nevertheless, and be it further enacted, That if such Person or Persons shall carry or cause to be carried in his or their Lighter or Lighters, or other large Craft, any Passenger or Passengers for Hire, or any Goods, Wares, or Merchandizes for Hire, or otherwise than their own as aforesaid, or shall row in or navigate, or permit or suffer any Person or Persons to row in, navigate, or work any such Vessel or Vessels, who is not a Freeman, or an Apprentice to a Freeman, or to a Widow of a Freeman of the said Company, he and they shall for any such Offence forfeit and pay any Sum of Money not exceeding Ten Pounds.

Owners of Laystalls, Market Gardeners, &c. may use Boats as heretofore :

CIV. And be it further enacted, That nothing in this Act contained shall prevent any Owner or Owners, Proprietors or Lessees of Laystalls, from carrying off the Soil from the said Laystalls in such Lighters or Vessels and by such Persons as have hitherto been accustomed; or any Owner or Owners or Proprietors of Chalk Hoys from bringing Chalk in such Hoys or Vessels, and by such Persons as have hitherto been accustomed; or any Gardener from bringing to the Markets of the Cities of *London* and *Westminster*, and the Places adjacent, their own Fruit, Herbs, Roots, and other Produce of their Gardens, or Soil and Dung, in their Boats, and by their own Servants, as they have formerly been accustomed; or any Fisherman from using his own Boat or Boats for the Purpose of his Business; nor any Ballastman from using any Vessel for digging, getting, and carrying any Ballast; and that no Person employed, or working or navigating any Lighters, Hoys, Vessels, or other Craft, for any of the Purposes aforesaid, shall be subject to any of the Penalties or Forfeitures imposed by this Act, or by any Rules or Bye Laws made or to be made as aforesaid, except as hereinafter is mentioned.

But to be subject to a Penalty if they carry Passengers or Goods for Hire.

CV. Provided nevertheless, and be it further enacted, That if any such Owner or Owners, Proprietors, Lessees, or Gardeners, Fishermen, Ballastmen, or his or their Servants, shall carry in any such Lighters, Vessels, or Boats, any Passenger or Passengers, or any kind of Goods, Wares, or Merchandize, for Hire, or other than for and on their own Account, he and they shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Bye Laws of the Court of Aldermen extended to all Boats and Vessels.

CVI. Provided nevertheless, and be it further enacted, That the Powers given by this Act to the said Court of Mayor and Aldermen to make Rules and Bye Laws, to be allowed as aforesaid, shall extend and are hereby extended and may be applied to the Government and Regulation of the Western Barges, Ferries, and Lighters, Boats and Vessels of Woodmongers and Owners of Laystalls, Chalk Hoys, Gardeners, Fishermen, and Ballastmen, and all other Lighters, Boats, and Vessels in the said River, within the Limits of this Act, although otherwise exempted from the Provisions of this Act.

Public Act.

CVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Cap. lxxvi.

An Act for carrying into Effect certain Improvements within the City of *Edinburgh* and adjacent to the same. (b)

[14th June 1827.]

Cap. lxxvii.

An Act for lighting, cleansing, watching, and otherwise improving the Town of *Ashton-under-Lyne* in the County Palatine of *Lancaster*, and for regulating the Police thereof. [14th June 1827.]

[See 6 G. 4. c. lxxvii.]

Cap. lxxviii.

An Act for the more effectual repairing, maintaining, and improving the Piers and Harbour of the Town and Port of *Whitby*, in the County of *York*. [14th June 1827.]

[1 *Anne*, c. 19. 7 *Anne*, c. 1. 7 G. 1. c. 16. (except as to Piers or Port of *Burlington*.) 8 G. 2. c. 10. 23 G. 2. c. 39. 6 G. 3. c. 81. 21 G. 3. c. 12. 36 G. 3. c. 121. 52 G. 3. c. clxxxv. repealed. Vessels on his Majesty's Service, &c. and Fishing Vessels under 55 Tons, exempt from Duties, § 57, 58. Jurisdiction of Justices of North Riding, § 59. Great Yarmouth exempted from Payment of the Halfpenny per Chaldron upon Coals granted by this Act, § 68.]

Cap. lxxix.

An Act to extend and enlarge the Powers of an Act passed in the Fifty second Year of His late Majesty for improving the Port and Harbour of *Boston* in the County of *Lincoln*. 52 G. 3. c. cv.

[14th June 1827.]

[Powers of 52 G. 3. c. cv. extended to this Act, § 1. Rate of Tonnage under recited Act repealed, § 23. New Rates granted, § 24. Vessels in His Majesty's Service exempted, § 25.]

Cap. lxxx.

An Act for maintaining and improving the Harbour of *Ardglass* in the County of *Down*. [14th June 1827.]

[Vessels in His Majesty's Service exempted from Duties, § 9.]

Cap. lxxxi.

An Act for enabling the Company of Proprietors of the Navigation from the *Trent* to the *Mersey*, to make Two Branches or Cuts from and out of the same Navigation, and for further amending the Acts of the said Company. [14th June 1827.]

[Powers of 6 G. 3. c. 96. 10 G. 3. c. 102. 15 G. 3. c. 20. 16 G. 3. c. 32. 23 G. 3. c. 33. 37 G. 3. c. 36. & 81. 42 G. 3. c. xxv. 49 G. 3. c. lxxxiii. 4 G. 4. c. lxxxvii. and 7 G. 4. c. xxx. extended to this Act. Vessels laden with Manure exempt from Toll in certain Cases, § 9.]

Cap. lxxxii.

An Act for more effectually supplying with Water the Inhabitants of the Town and County of the Town of *Nottingham*, and the Neighbourhood thereof. [14th June 1827.]

Cap. lxxxiii.

An Act for supplying with Water the Town and Suburbs of *Shrewsbury*, in the County of *Salop*. [14th June 1827.]

Cap. lxxxiv.

An Act for supplying with Water the Town and Neighbourhood of *Huddersfield*, in the West Riding of the County of *York*.

[14th June 1827.]

Cap. lxxxv.

An Act for improving the Outfall of the River *Nene*, and the Drainage of the Lands discharging their Waters into the *Wisbech* River, and the Navigation of the said *Wisbech* River, from the upper End of *Kinderley's Cut* to the Sea; and for embanking the Salt Marshes and bare Sands lying between the said Cut and the Sea.

[14th June 1827.]

Cap. lxxxvi.

An Act for watching, regulating and improving the City of *Carlisle*, and the Suburbs thereof.

[14th June 1827.]

Cap. lxxxvii.

46 G. 3. c. lxxv. An Act to amend an Act of the Forty-sixth Year of the Reign of His late Majesty, incorporating the *Glasgow, Paisley, and Ardrossan* Canal Company; and to empower the said Company to form a Railway from *Johnstone*, in the County of *Renfrew*, to *Ardrossan*, in the County of *Ayr*, and certain Branch Railways communicating therewith.

[14th June 1827.]

Cap. lxxxviii.

7 G. 4. c. ciii. An Act for altering and amending the *Garnkirk and Glasgow* Railway Act.

[14th June 1827.]

Cap. lxxxix.

An Act for removing Doubts as to the Legality of the Erection of the Portico of the Parish Church of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*; for declaring the whole of the Site of *Trinity* Church to be within the said Parish; and for altering the Boundary between the said Parish and the Parish of *Saint Pancras*.

[14th June 1827.]

[*Powers of 51 G. 3. c. cli. 1 & 2 G. 4. c. xxi. and 6 G. 4. c. 124. extended to this Act, § 1.*]

The Erection of the Portico of the Parish Church to be deemed legal.

III. And be it further enacted, That the Erection of the Portico of the said Parish Church shall be deemed legal, and that the said Portico may lawfully be continued; any of the Provisions contained in the said recited Act of the Seventh Year of the Reign of His present Majesty, or any other Law, to the contrary notwithstanding.

The whole of the Site of *Trinity* Church to be Part of the Parish of *St. Mary-le-bone*; and Purchases by

IV. And be it further enacted and declared, That the whole of the said Piece or Parcel of Ground so purchased by the said Vestrymen as the Site for the said Church called *Trinity Church* shall be, to all Intents and Purposes, within and Part and Parcel of the said Parish of *Saint Mary-le-bone*, and shall be deemed to have been legally purchased by the said Vestrymen, and to be well vested in them the said Vestrymen and their Successors, according

ing to the true Intent and Meaning of the said Acts of the Fifty first Year of the Reign of King *George* the Third, and the First and Second Years of the Reign of His present Majesty ; and all Purchases of Hereditaments made by the said Vestrymen for the Purposes of the said Acts or either of them shall be and the same are hereby confirmed and established, and the same Hereditaments are hereby declared to be well vested in the said Vestrymen and their Successors.

the Vestrymen confirmed.

‘ V. And Whereas His Majesty hath been pleased to declare ‘ His Royal Pleasure that a Slip of Ground on the East Side of ‘ the said Site, and running from South to North the whole Length ‘ of the said Site, and containing in Width from West to East ‘ Four Feet Three Inches or thereabout, and another Slip of ‘ Ground on the Western Side of the said Site, and running from ‘ South to North the whole Length of the said Site, and contain- ‘ ing in Width from East to West Four Feet Three Inches or ‘ thereabout, Parts of the Lands belonging to His Majesty, should ‘ be granted to the Vestrymen of the said Parish of *Saint Mary-le-bone*, for the Purpose of being added to the Site of the said ‘ Church, for improving the Appearance of the same ; Therefore, for the Purpose of giving Effect to His Majesty’s Royal Intention, be it enacted, That from and after the passing of this Act the said Two several Slips of Ground shall be and the same are hereby vested in the Vestrymen of the said Parish of *Saint Mary-le-bone* in the County of *Middlesex*, and their Successors, for the like Purposes as the said Site is vested in the said Vestrymen and their Successors.

Two Pieces of Land adjoining the new Church vested in the Vestrymen.

VI. And be it further enacted, That a Line commencing at the old Boundary Line, in the Centre of the said Turnpike Road called *The New Road*, opposite the Centre of *Cleveland Street*, thence continuing Westward along the Centre of the *New Road* as far as the Centre of *Osnaburgh Street*, and thence turning Northward and proceeding up the Centre of *Osnaburgh Street*, so far as the Centre of *Osnaburgh Terrace*, and thence proceeding Westward along the Centre of *Osnaburgh Terrace*, so far as the Centre of the Turnpike Road called *Albany Street*, and thence turning Northward so far as the old Boundary Line between the said Parishes, shall henceforth be the Boundary of the same Parishes ; and that so much of the Ground and Buildings, heretofore Parcel of the said Parish of *Saint Pancras*, as lies on the West Side of the Line hereinbefore declared to be the Boundary between the said Parishes, so far as the said Line runs North and South, and on the South Side of the same Line, so far as it runs East and West, shall henceforth be, to all Intents and Purposes, within and Parcel of the said Parish of *Saint Mary-le-bone*, and also within and Parcel of the District Rectory of *Trinity* or *Trinity* District Rectory, in the said Parish of *Saint Mary-le-bone*, and shall be subject to all the same Enactments, Regulations, Burthens, and Immunities as apply to the other Parts of the same Parish and Rectory ; and that so much of the Ground and Building, heretofore Parcel of the said Parish of *Saint Mary-le-bone*, as lies on the North Side of the Line hereinbefore declared to be the Boundary of the said Parishes, so far as the said Line extends along the said Turnpike Road called *The New Road*, and on the East Side of the said Line, so far as

Defining the Boundaries of the Parishes of *St. Mary-le-bone* and *Pancras*.

the

the same runs North and South, and on the North Side of the said Line, so far as the same runs East and West, shall henceforth be, to all Intents and Purposes, within and Parcel of the said Parish of *Saint Pancras*, and shall be subject to all the same Enactments, Regulations, Burthens, and Immunities as apply to the other Parts of the said Parish of *Saint Pancras*.

Form of Conveyance.

VII. And be it further enacted, That all Conveyances and Assurances of any Lands, Buildings, or Hereditaments which shall be purchased by the said Vestrymen, under the said Acts of the Fifty first Year of the Reign of His late Majesty King *George* the Third, and the First and Second Years of the Reign of His present Majesty, may be made in the Form or to the Effect following; (that is to say),

‘ I of in consideration of the Sum of
 ‘ to be paid by the Vestrymen of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, acting by virtue of an Act
 ‘ passed in the Eighth Year of the Reign of King *George* the
 ‘ Fourth, intituled [*here insert the Title of this Act*], do hereby
 ‘ grant and release to the said Vestrymen and their Successors,
 ‘ all [*describe the Premises intended to be conveyed*], to hold to the
 ‘ said Vestrymen and their Successors. In witness whereof I
 ‘ have hereunto set my Hand and Seal this Day of
 ‘ in the Year of our Lord .’

Conveyance to have the Force of Fines and Recoveries.

VIII. And be it further enacted, That every such Sale, Conveyance, and Assurance by virtue of this Act, shall be good, valid, and effectual to all Intents and Purposes whatsoever, and that the same shall be deemed and construed to bar the Dower of married Women, and all Estates Tail, and other Estates in Possession, Reversion, or Remainder or Expectancy, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Cap. xc.

An Act for substituting a Building lately erected by *William Mitford* Esquire, deceased, as the future Church or Chapel of *Exbury* and *Lepe* in the County of *Southampton*, in lieu of the present Church or Chapel, and for other Purposes relating thereto. [14th June 1827.]

Cap. xci.

An Act for providing the Inhabitants of the Parish of *Saint John Hampstead*, in the County of *Middlesex*, with increased Accommodation for attending Divine Service. [14th June 1827.]

[*Powers of Commissioners under 58 G. 3. c. 45. 59 G. 3. c. 134. 3 G. 4. c. 72. 5 G. 4. c. 103. extended to this Act, § 19.*]

Cap. xcii.

An Act for erecting and endowing a Chapel of Ease in the Parish of *Wisbech Saint Peter's* in the *Isle of Ely*, in the County of *Cambridge*. [14th June 1827.]

Cap. xciii.

An Act for enlarging the Term and Powers granted by several Acts for levying a Duty of Two Pennies *Scots* upon every Pint of Ale and Beer brewed or vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, and for amending the said Acts. [14th June 1827.]

Act of the
Scottish Par-
liament, 1707.
4 G. 2. c. 11.
20 G. 2. c. 17.
16 G. 3. c. 16.
42 G. 3.
c. xxvii.

Cap. xciv.

An Act for draining, embanking and protecting certain Low Lands lying on the North Side of the River *Dun*, in the West Riding of the County of *York*. [14th June 1827.]

Cap. xcv.

An Act for more effectually repairing and otherwise improving the Road from *Crossford Bridge*, in the County Palatine of *Lancaster*, to *Altrincham*, in the County Palatine of *Chester*. (a) [14th June 1827.]

[36 G. 3. c. 143. 45 G. 3. c. lvii. repealed.]

Cap. xcvi.

An Act for altering and maintaining the Road from *Stirling* to *Drymen Bridge*, in the Counties of *Stirling* and *Perth*. (b) [14th June 1827.]

[55 G. 3. c. xxxiv. repealed, § 1. Powers of 4 G. 4. c. 49. extended to this Act, § 2.]

Cap. xcvi.

An Act for amending an Act of the Fourth Year of the Reign of His present Majesty, for making and repairing certain Roads from *Redrow* to *Peathill* in the County of *Stirling*; and for making and maintaining certain new Roads connected therewith. [14th June 1827.]

[4 G. 4. c. cxii. repealed, § 1. Powers of 4 G. 4. c. 49. applied to this Act, § 2. Covenants, &c. under the repealed Act to remain in Force, § 3.]

Cap. xcvi.

An Act for the better and more effectually repairing and otherwise improving the Roads in the County of *Glamorgan*. (a) [14th June 1827.]

[45 G. 3. c. lxxiv. repealed, § 1. Tolls to be paid every Time of passing over the Bridges mentioned in the Act, § 46. Horses, &c. attending the Royal Family, conveying Vagrants, Prisoners, Public Stores, Mails, and Soldiers on Duty, or their Arms or Baggage, or belonging to Volunteers going to or returning from Exercise, exempt from Tolls, § 51. Manure and Materials for Roads exempt from Tolls on leaving a Note stating Owner's Name, and that the Load is intended for Manure, &c. § 52.]

Cap. xcix.

An Act for repairing the Road from the City of *York* to *Kesby Bridge*, and from *Grimston* to the Upper End of *Stone Dale*, in the County of *York*. (a) [14th June 1827.]

[47 G. 3. c. cxxxiii. repealed.]

Cap. c.

An Act for making and maintaining a Turnpike Road from *Wotton-under-Edge*, through *Kingswood*, to *Wickwar*, and Branch Roads therefrom, all in the Counties of *Gloucester* and *Wilts*. (b) [14th June 1827.]

[*Coal Waggons* to pay an additional Half Toll between 1st October and 1st April, § 12.]

Cap. ci.

An Act for repairing and improving certain Roads leading to and from *Callington* in the County of *Cornwall*. (a) [14th June 1827.]

[4 G. 3. c. 48. 25 G. 3. c. 108. and 46 G. 3. c. xv. repealed.]

Cap. cii.

An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *Ellesmere* and *Chester* Canal Navigation. [21st June 1827.]

[12 G. 3. c. 75. 17 G. 3. c. 67. 18 G. 3. c. 21. 33 G. 3. c. 91. 36 G. 3. c. 71. 36 G. 3. c. 96. 41 G. 3. (U.K.) c. lxx. 42 G. 3. c. xx. 44 G. 3. c. liv. 50 G. 3. c. xxiv. and 53 G. 3. c. lxxx. repealed, § 1. *Canal Company* re-incorporated, § 2. and *Property*, &c. of the *Ellesmere* and of the *Chester* Canal Navigation vested in them, § 3.]

Cap. ciii.

An Act for improving the Harbour of *Portrush* in the County of *Antrim*. [21st June 1827.]

Cap. civ.

An Act for the further Improvement and Maintenance of the Harbour of *Dunbar*, and other Public Works within the Burgh of *Dunbar*, and for the better supplying the said Burgh with Water. (a) [21st June 1827.]

[46 G. 3. c. xci. repealed, § 1. *Vessels in His Majesty's Service* exempt from Rates, § 10. Powers of 8 G. 3. c. 57. extended to this Act, § 51.]

Cap. cv.

An Act for recovering, draining, and preserving certain Lands in the Parishes of *Kinross*, *Orwell*, and *Portmoak*, in the County of *Kinross*, and in the Parishes of *Ballingry*, *Auchterderran*, and *Kinglassie*, in the County of *Fife*; and for the better supplying with Water the Mills, Manufactories, Bleachfields, and other Works situated on or near the River of *Leven*, in the said County of *Fife*. [21st June 1827.]

Cap. cvi.

An Act for separating the Town or Vill of *Ramsgate* in the County of *Kent* from the Parish of *Saint Laurence*, and making the same a distinct Parish; and for completing the new Church now building therein; and for other Purposes relating thereto; and for altering and amending an Act of His late Majesty for establishing a Chapel therein. [21st June 1827.] 30 G. 3. c. 64.

Cap. cvii.

An Act for taking down and rebuilding the Parish Church of *Staines* in the County of *Middlesex*; for providing an additional Burial Ground; and for equalizing the Church Rates of the said Parish. [21st June 1827.]

Cap. cviii.

An Act to enable the Persons interested in the Lands and Hereditaments, heretofore Parcel of the Possessions of the Monastery or Abbey of *Stratford Langthorne* in the County of *Essex*, to raise Money for repairing and maintaining the Bridges and other Works, liable to be repaired and maintained by such Persons. [21st June 1827.]

Cap. cix.

An Act for repairing and keeping in Repair the Turnpike Roads in the County of *Ayr*; for making and maintaining certain New Roads; for rendering Turnpike certain Parish Roads; and for regulating the Statute Labour in the said County. (b) [21st June 1827.]

[45 G. 3. c. xxviii. 49 G. 3. c. xxxii. and 58 G. 3. c. iii. repealed, § 1. Powers of 4 G. 4. c. 49. extended to this Act, § 2.]

Cap. cx.

An Act for erecting a Church in the Parish of *Doncaster* in the West Riding of the County of *York*. [23d June 1827.]

Cap. cxi.

An Act for building a New Gaol for the Town of *Cambridge*, and for other Purposes connected therewith. [23d June 1827.]

Cap. cxii.

An Act to provide for the Municipal Government of the Town and Suburbs of *Leith*; for the further Administration of Justice; and for the Regulation of the Police therein. [2d July 1827.] [11 G. 3. c. 30. and 46 G. 3. c. xxxvi. repealed.]

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN
EVIDENCE.

N.B. *To each of these Acts is annexed a Clause in the Form following :*

“ And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and that a Copy thereof so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices, and others.”

Cap. 1.

An Act for inclosing Lands in the Township of *Hampton* in the Parish of *Malpas* in the County of *Chester*. [21st March 1827.]

Cap. 2.

An Act for inclosing Lands in the Parish of *Ham* in the County of *Wilts*. [21st March 1827.]

[*Alloiment to Rector for Glebe, § 22. The Allotment for Glebe to be fenced at general Expence, § 26. The Rector, with the Consent of the Bishop and Patron, may lease his Allotment, § 35.*]

Cap. 3.

An Act for dividing, allotting, and inclosing the several Commons and Waste Grounds within the Manor of *Stainsby* and *Heath*, in the Parishes of *Ault Hucknall* and *Heath* in the County of *Derby*. [21st March 1827.]

Allotment for Glebe Lands to be made to Vicar of Heath and Ault Hucknall, § 23. and to be ring-fenced at Expence of the other Proprietors, § 27. Vicars may lease their Allotments with Consent of Bishop and Patron, § 28. Coal and other Minerals reserved to the Lord of the Manor, making Satisfaction for the Damage to be done by getting the same, § 48.]

Cap. 4.

An Act to carry into Execution a Contract entered into between the Lord Bishop of *Bath and Wells*, and *Richard Beadon Esquire*,
20 for

for the Sale of the Manor of *Wiveliscombe* alias *Wilscombe* in the County of *Somerset*, unto the said *Richard Beadon*; and for applying the Money to arise from such Sale in the Purchase of other Estates, to be settled in lieu thereof. [2d April 1827.]

Cap. 5.

An Act to give Powers of Sale over Part of the Estates devised by the Will of *John Wright*, formerly of *Lombard Street* in the City of *London*, Banker, and afterwards of *Esher* in the County of *Surrey* Esquire, for the Purpose of obtaining a more connected and convenient Estate, to be settled to the existing Uses of his Will. [2d April 1827.]

Cap. 6.

An Act for vesting in Fee Simple in Sir *George Stewart* of *Grandtully* Baronet, or the Heir of Entail in Possession, certain Parts of the entailed Estate of *Grandtully* in the County of *Perth*, upon entailing certain other Lands in the said County, equivalent in Value thereto; and for feuing certain other Parts of the said entailed Estate. [2d April 1827.]

Cap. 7.

An Act for dividing, allotting, and inclosing Lands within the Parishes of *Thursford* and *Kettlestone* in the County of *Norfolk*. [12th April 1827.]

[*Allotments to be made for supplying the Poor with Fuel. Such Allotments to be fenced, and may be leased, and Coal or other Fuel purchased with the Rents, § 30. Allotments to Surveyors of Highways, Poor, and Rector, to be fenced at Expence of the other Proprietors, § 35. Rectors of Thursford and Kettlestone may lease their Allotments with Consent of Bishop and Patrons, § 44, 45.*]

Cap. 8.

An Act for vesting an undivided Part belonging to *James Hedley*, an Infant, of Real Estates devised by *Mary Stocks* Spinster, in Trustees, to be sold; and for applying the Purchase Money thence arising for the Benefit of the Infant. [28th May 1827.]

Cap. 9.

An Act to enable the Trustees of the Estates devised by *William Hulme* Esquire, to appropriate certain Parts of the accumulated Funds arising from the said Estates in the Purchase of Advowsons; and for other the Purposes therein mentioned. [28th May 1827.]

Cap. 10.

An Act for vesting in the Dean and Chapter of the Cathedral Church of *Saint Peter* in *Exeter* certain Messuages and Lands situate within the Close of the said Cathedral Church, belonging to the Archdeacons of *Totnes*, *Barnstaple*, and *Cornwall*, founded in the said Cathedral Church, in Consideration of certain perpetual yearly Sums to be payable to the said several Archdeacons and their Successors; and for enabling the said Dean and Chapter to grant Leases of the same Premises. [28th May 1827.]

Cap. 11.

An Act to explain and modify the Trust Settlement of the late *Louis Cauvin*, for the Endowment and Maintenance of an Hospital for the Support and Education of Boys. [28th May 1827.]

Cap. 12.

An Act for discharging Estates of Lord and Lady *Say and Sele*, and the Honourable *William Thomas Twissleton Fiennes*, Sir *Culling Smith* Baronet, and *Culling Eardley Smith* Esquire, and the Honourable *Selena Childers*, and *John Walbanke Childers* Esquire, from a perpetual Rent of Two thousand Pounds, extending over such Estates, and charging a Part of each divided Estate with a Rent equal to its Portion of the said Rent of Two thousand Pounds. [28th May 1827.]

Cap. 13.

An Act for inclosing, dividing, and allotting Lands within the Township of *Westkirby* in the Parish of *Westkirby* in the County Palatine of *Chester*. [28th May 1827.]

[*Allotment to the Rector in respect of his Glebe Land to be fenced at the Expence of the other Claimants*, § 38. *Power to the Rector to grant Leases with Consent of Bishop and Patrons*, § 39.]

Cap. 14.

An Act for inclosing Lands in the Township of *Shepley* in the Parish of *Kirkburton* in the West Riding of the County of *York*. [28th May 1827.]

[*Allotment to be made to the Vicar in lieu of Tithes and other Dues*, § 20. *In case the Vicar's Allotment be not worth to be let for 30*l.* per Annum within three Years after it is set out, an Addition is to be made to make up an Allotment worth that Rent*, § 21. *Vicar may erect Buildings and make subdivision Fences on his Allotment, and may raise by Mortgage of it not exceeding Two Years' Income to defray the Expence*, § 22. *The Vicar's Allotment to be fenced at the Parish Expence*, § 24. *Vicar may lease his Allotments with Consent of Patron*, § 25.]

Cap. 15.

An Act for inclosing Lands in the Parish of *Beckley* in the County of *Oxford*. [28th May 1827.]

[*Allotments to be made to the Rector and Impropiator and perpetual Curate of Beckley*, § 25. *Allotments to be made for Tithes in Beckley, and in Horton and Studley*, § 26, 27. *Allotments to the Rector and Impropiator, and perpetual Curate, to be fenced at the general Expence*, § 29. *Proprietors not having sufficient Open Fields, Land, &c. to make Compensation in Money for their Tithes*, § 30. *Compensation for Tithes may be made out of old inclosed Lands of Persons not having sufficient Interest in the Lands to be inclosed*, § 32. *Commissioner may determine Leases at Rack Rent*, § 48.]

Cap. 16.

An Act for dividing, allotting, and inclosing, and for exonerating from Tithes, Lands within the Townships of *Bentley and Arksey*, in the Parish of *Arksey* in the West Riding of the County of *York*. [28th May 1827.]

[*Allotment to be made for Tithes and other Ecclesiastical Dues, § 31. Compensation for Tithes of old Inclosures where Proprietors have not more than Fifteen Acres to be made either out of the old Inclosures or by Money Payments, § 33. Tithe Allotments to be fenced at the Expence of the other Proprietors, § 41. Power to Lessors to charge additional Rent upon leased Estates in respect of the Allotments for the same, § 49.*]

Cap. 17.

An Act for rendering more effectual Two several Acts of the Forty fifth and the Forty seventh Years of the Reign of His late Majesty King George the Third, intituled, respectively, *An Act for inclosing and draining certain Lands in the Parishes of Winterton, East Somerton, and West Somerton, in the County of Norfolk*, and *An Act for inclosing and draining certain Lands in the Parish of Martham in the County of Norfolk*, so far as regards the Estates of *John Barker Huntington Esquire*. 45 G. 3. c. viii. 47 G. 3. Sess. 1. c. xxxix. [28th May 1827.]

Cap. 18.

An Act for dividing, inclosing, and exonerating from Tithes, Lands in the Parish of *Great Grimsby* in the County of *Lincoln*. [28th May 1827.]

[*Allotment to be made to Vicar for Glebe and Common Rights, § 20. Allotment to be made to the Vicar in Little Field to make up with former Allotment not less than Sixteen Acres, § 22. Allotments to the Vicar to be fenced at Expence of the other Proprietors, § 28. Impropiator and Vicar to be paid Corn Rents in lieu of Tithes, § 40. Tithe of East Marsh Lots vested in the Mayor and Burgesses of Great Grimsby, and the Vicar to be compensated by a Corn Rent, § 44. Owners of inclosed Lands may exonerate them from Tithes by Payment of a Corn Rent, § 47.*]

Cap. 19.

An Act for inclosing Lands in the Parish of *Ruscombe* in the County of *Berks*. [28th May 1827.]

[*Impropiator to be paid by the other Proprietors One Shilling per Acre in lieu of Tithes of their Allotments for Three Years from 29th September next, and then to be paid Tithes in Kind, § 43.*]

Cap. 20.

An Act for inclosing, dividing, and allotting Lands in the Township of *Burwardesley* otherwise *Burwardsley*, in the Parish of *Bunbury* in the County Palatine of *Chester*. [28th May 1827.]

[*Allotment to Curate of Burwardesley in respect of his Glebe Land to be fenced at general Expence, § 39. Power to the Curate to grant Leases for Twenty one Years with Consent of Bishop and Patrons, § 40.*]

Cap. 21.

An Act to commute for a Corn Rent the Tithes and Dues payable to the Rector of the Parish and Parish Church of *Grappenhall* in the County Palatine of *Chester*. [28th May 1827.]

[*Corn Rent to be paid to Rector in lieu of all Tithes and Dues*, § 23. *Provision for re-ascertaining Corn Rents*, § 29. *New Decennial Valuations and Assessments of Rent may be made in certain Cases*, § 30.]

Cap. 22.

An Act to enable Trustees to grant Building Leases of Lands in the several Parishes of *Saint Leonard's Hollington*, *Saint Mary of the Castle of Hastings Maudlin*, *Saint Mary Magdalen*, *Saint Michael near Hastings*, and *Horsham*, in the County of *Sussex*, Part of the Estates devised by the Will of *Charles Eversfield Esquire*, and to sell the same Lands, and also Two detached Farms in the Parishes of *Hollington* and *Horsham* aforesaid, other Part of the same Estates; and for laying out the Money arising by such Sale in the Purchase of other Estates, to be settled to the same Uses. [14th June 1827.]

Cap. 23.

An Act for enabling the Trustees of the undivided Moiety late of *John Leech* deceased, in certain Land in the Town of *Manchester*, to concur with the Parties entitled to the other Moiety thereof in making Partition thereof; and to sell all or any Part of the said Land in the said Town of *Manchester*, in consideration of Perpetual Chief Rents to be reserved, issuing out of such Land. [14th June 1827.]

Cap. 24.

An Act to effect an Exchange of Estates in the County of *Oxford*, between *John Blackall Esquire*, and the Trustees of *Cudler Boulter's Charity*, near the City of *Oxford*. [14th June 1827.]

Cap. 25.

An Act for vesting in Fee-simple in *John Crichton Marquess of Bute* and Earl of *Dumfries*, and his Heirs and Assigns, certain Parts of the entailed Estate of the late *William Earl of Dumfries* and *Stair*, situated in the County of *Wigton*, upon entailing certain other Lands belonging to him, situated in the County of *Ayr*, in lieu of the Lands so to be vested. [14th June 1827.]

Cap. 26.

An Act for vesting in Trustees the Lands of *Dunkirk*, or *West Parks of Moncreiffe*, in the County of *Perth*, contained in a Deed of Entail made by Sir *William Moncreiffe of Moncreiffe Baronet*, deceased, to sell the same, and apply the Price obtained therefore in Payment of the Debts that affect, or may be made to affect, the same. [14th June 1827.]

Cap. 27.

An Act for vesting certain Real Estates, late of the Most Noble John Frederick Duke of Dorset deceased, situate in the Borough Town and Parish of *East Grinstead* in the County of *Sussex*, in Trustees, upon Trust to sell the same, and to lay out the Money thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates so sold. [14th June 1827.]

Cap. 28.

An Act for confirming a Partition made by *Mary Vessey* Spinster, and *Henry Machin* Esquire, with *Elizabeth Reynolds* Widow, of the Manor of *Howell*, and divers Messuages, Farms, Lands, Tenements, and Hereditaments, situate in *Howell* and *Asgarby*, or one of them, in the County of *Lincoln*. [14th June 1827.]

Cap. 29.

An Act for vesting Part of the Estates devised by the Will of *Gabriel Powell* Esquire, deceased, in Trustees, to be sold, and for investing the Money to arise from such Sale in the Purchase of other Estates, to be settled to the same Uses. [14th June 1827.]

Cap. 30.

An Act to enable *Robert Oliver* Esquire, and *Sarah Shepley* his Wife, and the Survivor of them, and their Issue, to grant Building Leases of a Moiety of certain Lands and Premises in the County of *Middlesex*, devised by the Will of *Henry Barker* deceased. [14th June 1827.]

Cap. 31.

An Act for confirming certain Leases granted under an Act passed in the Forty third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for enabling the Keepers and Governors of the Possessions, Revenues, and Goods of the Free Grammar School of John Lyon, within the Town of Harrow-on-the-Hill in the County of Middlesex, to grant Building Leases of certain of the Grounds and Estates of the said John Lyon*; and for amending the same Act. [14th June 1827.]

43 G. 3. c. 104.
Pr. not printed.

Cap. 32.

An Act for vesting an Estate in the Extra-parochial Place of *Teddesley*, otherwise *Teddesley Hay* in the County of *Stafford*, in Trustees, to be sold, and for applying the Purchase Money in discharge of a Mortgage affecting such Estate. [14th June 1827.]

Cap. 33.

An Act for facilitating the Execution of certain Trusts for Charitable and Public Purposes within the Town of *Sheffield* in the County of *York*. [14th June 1827.]

Cap. 34.

An Act for inclosing Lands in the several Parishes of *Little Houghton, Brafield-on-the-Green, and Cooknoe, otherwise Cogenhoe*, in the County of Northampton. [14th June 1827.]

[*Allotments to be made for Great and Small Tithes in Little Houghton and Brafield-on-the-Green, § 26. and for Glebe, § 27. Commissioners for Little Houghton and Brafield-on-the-Green to ascertain Tithes payable in respect of Little Houghton Corn Mill, and to make an Allotment to the Vicar in lieu of them, § 28. Allotments to be made to the Rector of Cooknoe for Glebe and Right of Common, § 31. and for Tithes, § 32. Commissioners for Cooknoe to ascertain Tithes payable in respect of Cooknoe Mill, and to make an Allotment in lieu thereof, § 33. Proprietors of old Inclosures in Little Houghton, Brafield-on-the-Green, and Cooknoe, not having sufficient Open Field Property, to pay a Sum to exonerate them from Tithes, § 35, 36. Allotments for Glebe and Tithes to be fenced at Expence of the other Proprietors, § 37. Vicar with Consent of Bishop and Patron may lease his Allotments for Twenty one Years, § 42. Rector of Cooknoe may lease his Allotments with like Consent for same Period, § 43. Vicar of Brafield and Little Houghton, and Rector of Cooknoe, may borrow Money to erect Buildings and make Subdivision Fences, on Mortgage of their Allotments, § 50.*]

Cap. 35.

An Act for dividing allotting, inclosing, and exonerating from Tithes, Lands in the Hamlet of *Penge*, in the Parish of *Battersea* in the County of Surrey. [14th June 1827.]

[*Allotment to be made to Vicar in lieu of Tithes and other Dues, § 17. Tithes Allotments to be fenced at the general Expence, § 23. Vicar with the Consent of Ordinary and Patron may lease his Allotment, § 24.*]

Cap. 36.

An Act for inclosing and exonerating from Tithes Lands in the Parish of *Langford* in the County of *Bedford*. [14th June 1827.]

[*Allotments to be made to Vicar for Glebe and Common Rights, § 28. Allotments to be made to the Rectors and Vicar in lieu of Tithes, § 29. In case Rectors Impropritate shall be dissatisfied with their Allotments, the same may be altered by the Commissioners; and if they are still dissatisfied, the Lands shall remain subject to Tithes, § 31. Allotments to the Vicar to be fenced at the Expence of the other Proprietors, § 37. Commissioners may enfranchise Copyholds with Consent of Lord and Tenant, § 41. Vicar of Langford with Consent of Bishop and Patron may lease his Allotment, § 50. Proprietors not having a sufficient Interest in the Open Lands, may pay a Satisfaction for Vicarial Tithes, or Commissioners may (with Consent) allot inclosed Lands in Satisfaction thereof, § 51.*]

Cap. 37.

An Act for inclosing Lands in the Parish of *Nowton* in the County of *Suffolk*. [14th June 1827.]

[*Allotment to Rector for Glebe and Right of Common*, § 21. *Rector with Consent of Bishop and Patron may lease his Allotment for Twenty one Years*, § 22. *Allotments in lieu of Glebe to be fenced at Expence of the other Proprietors*, § 28.]

Cap. 38.

An Act for extending and enlarging the Powers of an Act of the Forty ninth Year of His late Majesty, for inclosing Lands in the Manor and Parish of *Englefield* in the County of *Berks*. 49 G. 3. c. 39. Pr. not printed.

[14th June 1827.]

Cap. 39.

An Act for inclosing Lands in the Parish of *Tanglely* in the County of *Southampton*. [14th June 1827.]

Cap. 40.

An Act for abolishing the Great and Small Tithes belonging to the Rectory of the United Parishes of *Beaumont* and *Kirk-andrews-upon-Eden*, in the County of *Cumberland* and Diocese of *Carlisle*, and for making Compensation in lieu thereof.

[14th June 1827.]

[*Corn Rent to be paid to Rector in lieu of Tithes and other Dues*, § 23. *Provision for re-ascertaining Corn Rents*, § 29. *Provision for making new Decennial Valuations, if required*, § 30.]

Cap. 41.

An Act to authorize a Sale to the respective Land Owners of all Tithes and Rectorial Dues belonging to the Rectory of *Stoke-upon-Trent* in the County of *Stafford*; for endowing Two new Churches; and for other Purposes. [21st June 1827.]

[See 58 G. 3. c. 45. 59 G. 3. c. 134. 3 G. 4. c. 72. 5 G. 4. c. 103. — 47 G. 3. Sess. 2. c. cxiv. — 27 G. 3. c. 62. 32 G. 3. c. 88. *The Rector empowered to contract for Sale of the Tithes of the Rectory. Patron and Ordinary to consent to Contracts*, § 1. *The Words "Tithes" and "Rectorial Dues" to include all Payments except Mortuaries and Surplice Fees*, § 2. *Governors of Queen Anne's Bounty may contract for Purchase of the Tithes, &c. where Incumbents have not*, § 6. *Consideration for Purchase shall consist of Money, Land, or Rent-charge*, § 8. *Where the Consideration is Land, the same to be annexed to the Rectory as Part of the Glebe*, § 10. *Where the Consideration is an Annual Rent, the same to be charged on Messuages, &c. and payable to the Rector and his Successors, and to be subject to Decennial Revision according to the Prices of Corn, Hay, and Beef*, § 11. *Rector empowered, with Consent of the Bishop and Patron, to sell certain Glebe Lands*, § 22. *Power to Rector to lay out Streets, and make Roads, Bridges, and Drains on such Glebe Land: the same to be approved by the Patron and Ordinary*, § 23. *Monies to be invested in the Purchase of Land, on the Application of the Rector, or Patron, or Ordinary*, § 31. *Power to Rector to grant Leases of Lands to be so purchased with Consent of Patron and Ordinary*, § 32.

§ 32. *Provisions for endowing Two new Churches as District Rectories, § 34. Divisions not to take place until after the Incumbency of the present Rector shall cease; but the Advowsons of such new Rectories to be saleable before such Division. Not to take away from the Rector of Stoke-upon-Trent any Glebe, Tithes, &c. besides the particular Endowments authorized by the Act, § 38. Commissioners for building new Churches may accept Donations towards providing Parsonage Houses for new Rectories, § 39. Power to the Bishop, Patron, and Rector to appropriate purchased Lands in Exchange and Satisfaction of the yearly Rent-charge payable to the Rectors of Newcastle-under-Lyme, Burslem, Bucknall, and Bagnall, with Consent of the Patron and Rectors thereof, § 41. In case of making Hanley and Lane End Chapels into separate Districts, a further Endowment to be made to each out of Purchase Monies from Easter Dues, Offerings, &c. and laid out in Lands, § 42. Separations not to take place during the Incumbencies of the present Curates of Hanley and Lane End Chapels, without their Consent; nor till after the Death, &c. of the present Rector of Stoke-upon-Trent, § 45.]*

Cap. 42.

An Act for vesting certain Estates belonging to the See of *Durham* in Trustees for Sale, and for applying the Purchase Monies in the Purchase of Freehold and Copyhold Estates to be annexed to the said See, and for other Purposes.

[21st June 1827.]

Cap. 43.

An Act to authorize the Trustees of the Manors and Hereditaments devised and settled by the Will of *William Earle Buxton Esquire*, to raise Money to discharge Incumbrances affecting the same.

[21st June 1827.]

Cap. 44.

An Act to empower the Judges of the Court of Session in *Scotland* to sell such Part of the Entailed Lands and Estate in the County of *Argyle*, now belonging to *Charles Campbell Esquire of Combie*, as shall be sufficient for Payment of the Debts and Burdens affecting the same.

[21st June 1827.]

Cap. 45.

An Act to confirm an Exchange made of certain Parts of the Lands belonging to the Vicar of *Saint Werburgh* in the County of *Derby*.

[21st June 1827.]

Cap. 46.

An Act for settling and securing the Lands of *Letham* and *Cullelo*, in the County of *Fife*, to and in Favour of *Francis Earl of Moray*, and the respective Series of Heirs under Two Deeds of Entail made by *Charles Earl of Moray* and *Francis Earl of Moray* respectively, and under the Conditions and Limitations contained therein; and for vesting in lieu thereof the Lands of *Restalrig*, in the County of *Mid Lothian*, and the Mill Lands of *Aberdour*, in the said County of *Fife*, in the said *Francis Earl of Moray*, and his Heirs and Assignees, in Fee-simple.

[21st June 1827.]

Cap. 47.

An Act to authorize the leasing of Mines and Hereditaments in the Parish of *Llangonoyd* in the County of *Glamorgan*, devised and settled by the Will of *David Griffith*. [21st June 1827.]

Cap. 48.

An Act for confirming a Lease granted by the Most Noble *Henry Charles Duke of Beaufort*, and the Right Honourable *Henry Somerset*, commonly called Marquis of *Worcester*, of Lands and Hereditaments in the Parish of *Swansea* in the County of *Glamorgan*. [21st June 1827.]

Cap. 49.

An Act for carrying into effect an Agreement for Sale of certain Messuages or Tenements and Parcels of Ground in the Parish of *Saint Andrew Holborn* in the County of *Middlesex*, Part of the Possessions of the See of *Bangor*, and for applying the Money arising therefrom in manner therein mentioned. [21st June 1827.]

Cap. 50.

An Act to explain and amend certain Acts passed in the Forty seventh and Fifty first Years of the Reign of His late Majesty, and in the First and Fifth Years of the Reign of His present Majesty, for enabling the Archbishop of *Canterbury* to grant Building and Repairing Leases. [21st June 1827.]

47 G. 3. Sess. 2.
c. cxxviii.
51 G. 3.
c. cxxvi.
1 G. 4. c. 48. Pr.
5 G. 4. c. 37. Pr.

Cap. 51.

An Act for vesting in Trustees, for Sale, the Estates devised by the Will of the late *Robert Nicholas Esquire*, [21st June 1827.]

Cap. 52.

An Act to authorize the granting of Building Leases of the Settled Estate of Dame *Jane St. John Mildmay*, in the Parish of *Saint Mary Islington* in the County of *Middlesex*; and for other Purposes. [21st June 1827.]

Cap. 53.

An Act for vesting certain Estates devised and settled by the Will of *George Taylor* deceased, in Trustees, to complete the Sale thereof to *Simon Taylor Gentleman*, and for laying out the Purchase Money in the Purchase of other Estates, to be settled to the same Uses. [21st June 1827.]

Cap. 54.

An Act for enabling the Bishop of *London* and his Successors to grant Licences to demise the Copyholds within the Manor of *Fulham* in the County of *Middlesex*, for building upon and improving the same. [21st June 1827.]

Cap. 55.

An Act for confirming a Partition made by *Mary Bainbrigge* Spinster, with the Reverend *Richard Fawcett Clerk*, and *Anna Maria* his Wife, and others, of an Estate situate in the Township of *Headingley-cum-Burley* in the Parish of *Leeds*, in the County of *York*. [21st June 1827.]

Cap. 56.

An Act for vesting certain Estates in the Parishes of *Saint Mary Matfellow*, otherwise *Whitechapel*, and *Saint Botolph Aldgate*, in the County of *Middlesex*, belonging to *John Craven* Esquire, a Lunatic, and *Frederick Bowman* Esquire, late Copartners in Trade; and also certain other Estates in the Parish of *Saint Mary Matfellow*, otherwise *Whitechapel* aforesaid, belonging exclusively to the said *John Craven*, in Trustees for the Purpose of effecting a Partition; and also for the Purpose of effecting Sales, granting Building Leases, and making Improvements. [21st June 1827.]

Cap. 57.

An Act to enable the Lord Bishop of *Carlisle* to grant a Lease, with Powers of Renewal, of Hereditaments in the Parish of *Lambeth* in the County of *Surrey*, and to authorize the granting of Sub-leases for building thereon, and for other Purposes. [21st June 1827.]

Cap. 58.

An Act for enabling the Master and Brethren of the Hospital of *Saint Mary Magdalene*, within the Town and County of *Newcastle-upon-Tyne*, to erect a Chapel on Part of their Possessions in the said Town, and for regulating the Performance of Divine Service therein; and also for carrying into Effect an Exchange between the said Master and Brethren and *Ralph Naters* Esquire; and also for enabling the said Master and Brethren to grant Building, Repairing, and other Leases of their Estates. [21st June 1827.]

Cap. 59.

An Act for confirming certain Articles of Agreement between *Samuel Pullin* Esquire and *James Rhodes* Esquire, and for authorizing the granting of Building Leases of Freehold and Copyhold Ground in the Parish of *Saint Mary Islington*, pursuant to the said Articles, and for other Purposes. [21st June 1827.]

Cap. 60.

5G.4. c.40. Pr. An Act to alter and amend an Act passed in the Fifth Year of His present Majesty, for dissolving a certain Partnership, called "*The Kent Life Assurance and Annuity Institution or Company*," and for satisfying the Engagements entered into on behalf of the same Institution, and dividing the Surplus of the Capital belonging to the same Institution amongst the Holders of Shares of the same Capital. [21st June 1827.]

Cap. 61.

57G.3.c.16. Pr. An Act to amend and enlarge the Powers of an Act of the Fifty seventh Year of His late Majesty King *George the Third*, for enabling the Trustees of the Charity Estates of *William Hickey* deceased, situate at *Richmond*, in the County of *Surrey*, to grant Building and Repairing Leases thereof. [23d June 1827.]

I N D E X

TO THE

PUBLICK GENERAL ACTS, 7° & 8° GEO. IV.

* *Signifies that the Act relates exclusively to Ireland.*

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